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# JOURNAL

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OF THE

## HOUSE OF DELEGATES

OF THE

COMMONWEALTH OF VIRGINIA;

BEGUN AND HELD AT THE CAPITOL,

**IN THE CITY OF WILLIAMSBURG.**

ON MONDAY, THE FIFTH DAY OF MAY, IN THE YEAR OF OUR LORD ONE  
THOUSAND SEVEN HUNDRED AND SEVENTY-SEVEN.

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**RICHMOND:**

PRINTED BY THOMAS W. WHITE, OPPOSITE THE BELL-TAVERN.

.....  
1827.

# THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET



*William Green. 1763.*

JOURNAL  
OF THE  
HOUSE OF DELEGATES.

---

**GENERAL ASSEMBLY,**

*BEGUN and holden at the Capitol, in the City of Williamsburg, on Monday, the fifth day of May,  
in the year of our Lord one thousand seven hundred and seventy-seven;*

On which day, being the day appointed by law for the meeting of the General Assembly, the oaths required to be taken by the delegates were administered by the Privy Council to such of the members as appeared, after which they repaired to their seats in the House of Delegates.

But there being no more than sixty-three members present, which is not a majority of the whole number, The House adjourned till to-morrow morning, 10 o'clock.

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TUESDAY, May 6, 1777.

The House met according to their adjournment; and several other members having taken the oath required, took their seats in the House. But the number not being sufficient to proceed to business, The House adjourned till to-morrow morning, 10 o'clock.

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WEDNESDAY, May 7, 1777.

The House met according to their adjournment; and several other members having taken the oath required, took their seats in the House. But the number not being sufficient to proceed to business, The House adjourned till to-morrow morning, 10 o'clock.

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THURSDAY, May 8, 1777.

Several other members having taken the oath required by law, took their places in the House.

*Ordered*, That Mr. John Tazewell be appointed Clerk of this House.

Richard Lee, Esq. a delegate for the county of Westmoreland, reminded the House of the necessity of proceeding to the choice of a Speaker, and recommended Robert Carter Nicholas, Esq. member for the county of James City, who had already given undeniable proofs of his abilities and integrity. He was seconded by William Smith, Esq. a delegate for the county of Richmond.

Thomas Jefferson, Esq. a delegate for the county of Albemarle, recommended George Wythe, Esq. member for the city of Williamsburg, as a person in every respect qualified to fill that office, and was seconded by Richard Adams, Esq. a delegate for the county of Henrico.

And Benjamin Harrison, Esq. a delegate for the county of Prince George, recommended Benjamin Harrison, Esq. member for the county of Charles City, as a proper person to fill that office, and was seconded by Willis Riddick, Esq. a delegate for the county of Nansemond.

*Resolved*, That this House will proceed to the choice of a Speaker, first by balloting, in order to discover the number for every one of the persons proposed, and then, if there shall not be a majority of the whole House for any one of the three, by dividing between the two upon whom the greatest numbers shall fall.

*Ordered*, That the members of this House do immediately prepare tickets to be put into the glasses, with the name of the person to be the Speaker.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the Clerk went with the same on each side of the House to receive the said tickets; and the members having put in their tickets, the glasses were brought up to the Clerk's table.

*Ordered*, That a committee be appointed to examine the tickets, and that they do report the numbers for the several persons proposed, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Lee, Jefferson, Harrison of Prince George, Riddick, Adams and Smith of Richmond; and they are to withdraw immediately.

Mr. Lee reported, from the committee, that they had examined the tickets accordingly, and had directed him to report the numbers for the several persons proposed, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where the same was read, and is as followeth:

For George Wythe, Esq.	34
Robert Carter Nicholas, Esq.	27
Benjamin Harrison, Esq.	8

Then the House divided, the members who were for Mr. Wythe going to the right side of the House, and the members who were for Mr. Nicholas the other side of the House.

Teller for Mr. Wythe, Richard Lee,	37
Teller for Mr. Nicholas, Thomas Jefferson,	33

So that Mr. Wythe, being chosen Speaker of this House, he was conducted to the chair, from whence he made his acknowledgments to the House for the honour they had been pleased to confer on him.

*Ordered*, That Mr. Freeman Eppes be appointed Serjeant at Arms to this House.

*Ordered*, That Robert Hyland, William Hicks, John Creagh, and William Drinkard, be appointed door-keepers to this House, and that they give their attendance accordingly.

The Speaker laid before the House a letter from Thomas Nelson, Esq. one of the delegates appointed to represent this State in General Congress, desiring leave to resign his seat therein, on account of his ill state of health; and the said letter was read;

*Ordered*, That the said letter do lie on the table.

*Ordered*, That leave be given to bring in a bill "to prevent forestalling;" and that Messrs. Carter, Lee, Harrison and Fleming, do prepare and bring in the same.

And then the House adjourned till to-morrow morning, 10 o'clock.

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### FRIDAY, May 9, 1777.

Several other members having taken the oath appointed to be taken by law, took their seats in the House.

*Ordered*, That a committee for Religion be appointed;

And a committee was appointed, of Messrs. Braxton, Lee, Starke, Hite, Fleming, Adams, Curle, Jefferson, Nicholas, Bullitt, Syme, Anderson, Savage, Norvell, Burwell, Harrison of Charles City, Prentiss, Acrill, Pickett, Carter and Meriwether; and they are to meet and adjourn from day to day, and to take under their consideration all matters and things relating to religion and morality, and all such as shall be from time to time referred to them, and report their proceedings, with their opinions thereupon, to the House. And the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee of Privileges and Elections be appointed; and a committee was appointed, of Messrs. Nicholas, Harrison of Charles City, Lee, Fleming, Thornton, Banister, Starke, Bullitt, Meriwether, James Speed, Cowper, Savage, Booker, Gee, Burwell, Braxton, Carter, Riddick, Thoroughgood, Curle, Jefferson and Harrison of Prince George. And they are to meet and adjourn from day to day, and to examine, in the first place, all certificates of the election of delegates to serve in this present General Assembly, and to take into their consideration all such matters as shall or may come in question touching returns, elections, and privileges, and to report their proceedings, with their opinions thereupon, from time to time, to the House; and the said committee are to have power to send for persons, papers, and records, for their information.

*Resolved*, That in all cases of controverted elections to be heard at the bar of this House, or before the committee of Privileges and Elections, the petitioners do, by themselves or by their agents, within a convenient time, to be appointed either by the House or the committee of Privileges and Elections, as the matter to be heard shall be before the House or the said committee, deliver to the sitting members, or their agents, lists of the persons intended by the petitioners to be objected to, who voted for the sitting members, giving, in the said lists, the several heads of the



objection, and distinguishing the same against the names of the voters excepted to; and that the sitting members do, by themselves or their agents, within the same time, deliver the like lists, on their part, to the petitioners or their agents.

*Ordered*, That a committee of Propositions and Grievances be appointed; and a committee was appointed, of Messrs. Harrison of Charles City, Nicholas, Acerrill, Strother, Pickett, Syme, Wilkinson, Norvell, Braxton, Carter, Bolling, Prentiss, Bullitt, Harvie, Curle, Jefferson, Terry, Savage, Coleman, Starke and Godfrey. And they are to meet and adjourn from day to day, and to take into their consideration all propositions and grievances that shall come, legally certified, to this Assembly, and to report their proceedings, with their opinions thereupon, from time to time to the House; and all such propositions and grievances are to be delivered to the Clerk of the House, and by him to the said committee of course. And the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee of Public Claims be appointed; and a committee was appointed, of Messrs. Lee, Adams, Thornton, Terry, Hite, Meriwether, Davenport, Anderson, Wilkinson, Gee, Fulgham, Fleming and Eskridge. And they are to meet and adjourn from day to day, and to take into their consideration all public claims referred from the last to this session of Assembly, and also all such claims as shall be regularly certified and presented to this session, and to report their proceedings, with their opinions thereupon, to the House, when they shall have gone through the said claims. And all persons that have any claims are to deliver them to the said committee, of course; and they are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee for Courts of Justice be appointed; and a committee was appointed, of Messrs. Fleming, Curle, Bullitt, Strother, Booker, Jefferson, William Smith of Richmond, Griffin and Harvie. And they are to meet and adjourn from day to day, and to take into their consideration all matters relating to Courts of Justice, and such other matters as shall, from time to time, be referred to them, and report their proceedings, with their opinions thereupon, to the House. And the said committee are to inspect the Journals of the last session, and draw up a state of the matters then depending and undetermined, and the progress that was made therein, and report the same to the House, with their opinions which of them are fit to be revived and continued. And the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee of Trade be appointed; and a committee was appointed, of Messrs. Acerrill, Syme, Banister, Braxton, Curle, Savage, Thornton, Anderson, Davenport, Pickett, Adams, Lee, Jett, Muse, Harrison of Charles City, King and Webb. And they are to meet and adjourn from day to day, and to take into their consideration all things relating to the trade of this State, and all matters that shall be from time to time to them referred, and to report their proceedings, with their opinions thereupon, to the House. And the said committee are to have power to send for persons, papers, and records, for their information.

*Resolved*, That eleven of the committee of Propositions and Grievances, seven of the committee of Privileges and Elections, and five of any other committee, be a sufficient number to make a committee.

*Resolved*, That all members who come to the committees for Religion, Propositions and Grievances, Privileges and Elections, and Trade, have voices.

*Ordered*, That Mr. William Dandridge, jun. be appointed Clerk to the committee for Religion, Mr. Edmund Pendleton, jun. to the committees of Privileges and Elections and Propositions and Grievances, Mr. Hind Russell to the committee of Claims, and Mr. John Beckley to the committee for Courts of Justice and the committee of Trade.

The Rev. Thomas Price, James Madison, and William Bland, having been severally proposed for the office of chaplain to this House,

*Resolved*, That this House will proceed to the choice of a chaplain, first by balloting, in order to discover the number for every one of the persons proposed, and then, if there shall not be a majority of the whole House for any one of the three, by dividing the House between the two upon whom the greatest numbers shall fall.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be the said chaplain.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in,

The Clerk and Sergeant at Arms, attending this House, went with the same on each side of the House to receive the said tickets;

And the members having put in their tickets, the glasses were brought up to the Clerk's table.

*Ordered*, That a committee be appointed to examine the tickets, and that they do report the numbers for the several persons proposed, as it shall appear to them, to the House;

And a committee was appointed, of Messrs. Harvie, Lee, Harrison of Charles City, Curle, Adams, and Starke; and they are to withdraw immediately.

Mr. Harvie reported, from the committee, that there was a majority of the whole House in favour of the Rev. James Madison.

*Resolved*, That the said James Madison be appointed chaplain to this House, and that he attend to read prayers at 8 o'clock, every morning.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

*Resolved*, That this House will, on Tuesday se'night next, proceed, by joint ballot with the Senate, to the choice of a delegate to represent this state in General Congress, in the room of Thomas Nelson, Esq. who hath desired to resign the said office on account of his ill state of health, and of five delegates to represent this State in the said Congress for one year from the eleventh day of August next.

*Ordered*, That Mr. Braxton do acquaint the Senate therewith.

*Ordered*, That leave be given to bring in a bill "for regulating and disciplining the militia;" and that Messrs. Jefferson, Fleming and Braxton, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "for providing against invasions and insurrections;" and that Messrs. Jefferson, Fleming and Braxton, do prepare and bring in the same.

*Resolved*, That the Speaker be desired to write to our delegates in Congress, requesting they will send to this House a printed copy of their Journals, as far as the same are printed, and also a manuscript copy of the Journals to this time, so far as the same are allowed to be published.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, May 10, 1777.

Several other members having taken the oath appointed to be taken by law, took their seats in the House.

The Speaker laid before the House a letter from Col. Thomas Bullitt, resigning his office of adjutant general to this Commonwealth; and the said letter was read;

*Ordered*, That the said letter do lie upon the table.

*Ordered*, That leave be given to bring in a bill, "for better regulating the proceedings in the County Courts;" and that Messrs. Braxton, Bullitt, Nicholas, Kello, Banister, Griffin, Curle, Harvie, Harrison of Charles City, Fleming and Jefferson, do prepare and bring in the same.

Mr. Carter presented to the House, according to order, a bill "to prevent forestalling;" and the same was received, and read the first time.

*Resolved*, That the said bill be read a second time.

A petition of Hamilton Usher St. George was presented to the House, and read; setting forth, that he has unjustly laboured under a suspicion of being unfriendly to the American cause, and the measures carrying on in opposition to the tyrannical attempts of Great Britain, which arose merely from his being a foreigner; that he has been frequently examined by the committee of his county and acquitted by them, his innocence appearing in the clearest light; that in the month of April, 1776, being accused of holding correspondence with Lord Dunmore, and supplying him with provision, himself and his negroes Jeffry and Jacob were apprehended and carried to Williamsburg by order of the committee of Safety; the negroes afterwards committed to the public jail, and himself sent back to his county for trial; that he was accordingly tried the 23d of the said month, and acquitted with honour, as will appear from a certificate granted him by the said court: in consequence of which his slaves were released from prison, and delivered to him, but not before they had received the infection of the jail fever, of which Jeffry shortly after died; and praying to be allowed a reasonable satisfaction for the said slave.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Several petitions of sundry inhabitants of the county of Cumberland, praying a division of the said county may take place, and also several other petitions of the inhabitants of the said county, in opposition thereto, were presented to the House, and read.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill "for establishing a General Court, and Courts of Assize;" and that Messrs. Bullitt, Braxton, Nicholas, Kello, Banister, Griffin, Curle, Harvie, Harrison of Charles City, Fleming and Jefferson, do prepare and bring in the same.

A petition of sundry inhabitants of the county of Charlotte, whose names are thereunto subscribed, was presented to the House and read; setting forth, that many of them, and others, have, at their private expense, supported a post rider from the town of Manchester, on James river, to pass through the southwestern counties, when at the same time regular posts have been established through the northern and southern counties of this State at the public expense, and praying that post riders may be established through such counties on the southwestern side of James river as should be found necessary.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Jane Dixon was presented to the House, and read; setting forth, that her husband James Dixon, late of the borough of Norfolk, deceased, died some years ago testate, leaving her his widow, and a small personal estate, which by his will he did not dispose of; that upon the executors refusing to qualify, the county court, ordered the sheriff to sell the estate, and return the money arising therefrom into the clerk's office, which was done, and one half of what remained, after the payment of debts, was paid to her, the other half was ordered to remain with the clerk for the heirs of the said James; that the clerk of the court had made the strictest inquiry for them, but hath not been able to discover any such, and that there is little prospect of ever discovering any heirs; that being in unfortunate circumstances, the clerk of the court is very desirous to dispose of the money in his hands for her relief, and praying this House will be pleased to direct the same.

*Ordered*, That the said petition be referred to the consideration of a committee; and that they do examine the matter thereof, and report the same, with their opinion thereupon to the House; and it is referred to Messrs. Curle, Thoroughgood, Wilson and Godfrey. *See p. 21.*

A petition of William Anderson was presented to the House and read; setting forth that in the month of February last, a young negro fellow of his was executed in pursuance of the judgment of Cumberland county court for murder, and by the said court valued to only 95*l*. a sum not sufficient to enable him to purchase another of equal value, and praying a farther allowance may be made him for the said slave.

A motion was made, and the question being put, that the said petition be rejected,

It was resolved in the affirmative.

Mr. Jefferson presented to the House, according to order, a bill "for regulating and disciplining the militia;" and the same was received, and read the first time.

*Resolved*, That the said bill be read a second time.

A petition of John Jarret Carter was presented to the House, and read; setting forth, that some time in January, 1776, he enlisted as a soldier in the 5th Virginia regiment under Capt. Ball; that immediately on his enlistment he cheerfully entered into the service of the United States, and marched from the Northern Neck to Norfolk, and from thence to the Jerseys; and that he behaved himself in such a manner as to obtain the office of serjeant major, in which his conduct gave great satisfaction to his superior officers, till, by hard duty, he brought on himself a disorder which has rendered him unfit for duty, as will appear by a certificate from the colonel and surgeon of the said regiment; and praying such relief as to this House shall appear just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill "for regulating and disciplining the militia" was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will on Tuesday next, resolve itself into a committee of the whole House upon the said bill.

Mr. Jefferson presented to the House, according to order, a bill "for providing against invasions and insurrections;" and the same was received, and read the first time.

*Resolved*, That the said bill be read a second time.

*Ordered*, That Mr. Terry have leave to be absent from the service of this House till the first Thursday in June next. And then the House adjourned till Monday morning, 10 o'clock.

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### MONDAY, May 12, 1777.

Several other members having taken the oath appointed by law, took their seats in the House.

The Speaker laid before the House a letter from the Governor, stating several matters for the consideration of the General Assembly, and referring to papers enclosed on the subject thereof.

And the said letter was read.

*Ordered*, That the said letter and papers do lie upon the table, to be perused by the members of the House.

A petition of Joseph Garner was presented to the House, and read; setting forth, that he entered very early into the service of the country, by enlisting in a volunteer company under the command of Capt. John Green, and afterwards entered into the regular service; that while he was on duty in the city of Williamsburg he received a very dangerous wound in his arm, by a ball from a musket in the hands of one of his fellow-soldiers, which went off accidentally, by which he has lost the use of his arm, and is rendered incapable of labouring; and praying such relief as shall be thought reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill, "to prevent forestalling," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, upon Wednesday next, resolve itself into a committee of the whole House upon the said bill.

A petition of sundry inhabitants of the county of Albemarle, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they suffer many inconveniences from the great extent of the said county, and praying a division thereof.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the counties of Charlotte and Lunenburg, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that those of the petitioners who are in the county of Charlotte, and live near to the line which divides the said county from Lunenburg, are at so great a distance from



their courthouse and churches as to render those conveniences almost useless to them, which would be prevented if a small part of the county of Charlotte was added to Lunenburg, and praying that an act may pass for that purpose.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill "for regulating the appointment of delegates to General Congress," and that Mr. Jefferson do prepare and bring in the same.

A petition of Joseph Miles was presented to the House, and read; setting forth, that he enlisted as a common soldier in the company commanded by Richard Meade, Esq. in the month of October, 1775, and faithfully discharged his duty to the utmost of his power; that in the winter following he was ordered to Norfolk, where, by the severity of the season, and hard duty, he contracted a disorder, which, for want of timely relief, in a few weeks settled on his eyes; that being thus rendered incapable of his duty, he was sent to the hospital, and in the month of September, 1776, discharged as incurable, and has ever since been supported and maintained by two very poor brothers; that he forebore to make application to the last Assembly for relief, in hopes he might recover his eyesight; but the disorder has increased, so that he is now almost totally blind, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill "for providing against invasions and insurrections" was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will on Thursday next resolve itself into a committee of the whole House upon the said bill.

Mr. Jefferson presented to the House, according to order, a bill "for regulating the appointment of delegates to General Congress;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A petition of Richard Roy and John Catlett, inspectors at Roy's warehouse, in the county of Caroline, was presented to the House, and read; setting forth that in the year 1772 there were stolen out of the said warehouse 5955 pounds of neat tobacco, and in the year following 852 pounds of transfer; that they obtained a search warrant and discovered 900 pounds of the said tobacco on board a vessel in Rappahannock river, for which they received the sum of 30*l*. including the value of the tobacco and penalty; that there still remains the sum of 30*l*. 13*s*. which they have paid for the residue of the said tobacco; and praying to be reimbursed the same.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Messrs. Talbot, Gordon, Wilson and M'Dowell, be added to the committee of Public Claims.

*Ordered*, That this House be called over to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, May 13, 1777.

Several other members having taken the oath appointed by law, took their seats in the House.

A petition of Isaac Smith and Preeon Bowdoin, executors of John Bowdoin, deceased, was presented to the House, and read; setting forth, that Ned, a negro slave belonging to the estate of the said John Bowdoin, was apprehended and sent to the lead mines pursuant to a resolution of Convention, where the said slave still remains, and praying that he may be returned to them, with such hire as to this House shall seem just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill "for regulating the appointment of delegates to General Congress" was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, upon the said bill.

*Resolved*, That this House will now resolve itself into a committee of the whole House to take into their consideration the state of the Commonwealth.

*Ordered*, That the letter from the Governor, stating several matters for the consideration of the General Assembly, and referring to papers on the subject thereof, be referred to the said committee.

Then the House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that they had made some progress in the matters to them referred, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

The Speaker laid before the House a letter from the Governor, enclosing one from Col. Christian on the subject of Indian affairs.

And the said letters were read.

*Ordered*, That the said letters be referred to the committee of the whole House upon the state of the Commonwealth.

*Ordered*, That Mr. King have leave to be absent from the service of this House until Monday next.

Mr. Nicholas reported, from the committee of Propositions and Grievances, that the committee had had under their consideration several petitions to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were read, and are as followeth, viz:

*Resolved, as the opinion of this committee*, That the consideration of the petition of divers inhabitants of the county of Charlotte, praying that public post riders may be established on the southwestern side of James River, be deferred until the next session of Assembly.

*Resolved, as the opinion of this committee*, That the petition of divers inhabitants of the county of Albemarle, praying that the same may be divided into two distinct counties, is reasonable.

*Resolved, as the opinion of this committee*, That the said county of Albemarle be divided into two distinct counties, by a line to be run from the most western point in the Louisa line, directly to the lower edge of Scott's Ferry.

*Resolved, as the opinion of this committee*, That the petitions of divers inhabitants of the county of Cumberland, praying that the same may be divided into two distinct counties, by the line which divides the parishes of Littleton and Southam, is reasonable.

*Resolved, as the opinion of this committee*, That the petition of divers inhabitants of the county of Cumberland, in opposition thereto, be rejected.

*Resolved, as the opinion of this committee*, That the petition of divers inhabitants of the counties of Charlotte and Lunenburg, praying that all that part of the county of Charlotte which shall be on the east side of a line to be run from where Mecklenburg and Lunenburg strike Charlotte county line, directly to Winbush's burnt ordinary, be added to the county of Lunenburg and parish of Cumberland, is reasonable.

The said resolutions being read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That a bill, or bills, be brought in upon the 2d, 3d, 5th, and 6th resolutions; and that Mr. Nicholas the members for Albemarle, Cumberland, Charlotte, and Lunenburg, do prepare and bring in the same.

A petition of John Campbell was presented to the House, and read; setting forth, that some time last winter he was directed by the committee of Safety to endeavour to purchase some powder to the westward of Fort Pitt; that as soon as he returned home he wrote to his partner, James O'Hara, who was in the Indian country, to come to Pittsburg, in order to go on that business; that on his way through the Indian country he was robbed of sundry articles by unfriendly Indians, and praying this House will take the same into their consideration, and grant him such relief as shall be thought reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to order, resolved itself into a committee of the whole House on the bill "for regulating and disciplining the militia."

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that they had made some progress in the bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House to consider farther of the said bill.

And then the House adjourned till to-morrow morning, 10 o'clock.

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### WEDNESDAY, May 14, 1777.

Several other members having taken the oath appointed by law, took their seats in the House.

*Ordered*, That the Clerk deliver to any member who may desire it, any bills depending before the House, on taking a receipt for the same.

*Ordered*, That the Rev. James Madison be desired to preach before the General Assembly at the church in this city on Sunday next.

*Ordered*, That Mr. Starke acquaint Mr. Madison therewith.

The order of the day being read,

The House resolved itself into a committee of the whole House upon the bill "for regulating the appointment of delegates to General Congress."

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report when the House will please to receive the same.

*Ordered*, That the report be received to-morrow.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill pursuant to the 2d, 3d, 5th, and 6th resolutions of the committee of Propositions and Grievances, which were yesterday reported to the House, and which were agreed to by the House, that they have power to receive a clause, or clauses, for erecting into a distinct parish so much of the parishes of St. Anne, and Fredericksville, in the county of Albemarle, as shall, after the division thereof, be within the lower county, and to empower the justices of the county of Cumberland, and of the county to be taken from the same, to purchase a quantity of land, not exceeding thirty-one acres, of each of the proprietors of the land where the respective courthouses are to be built, and lay the same off into two towns, one at each of the said courthouses, to be vested in the said justices and their successors for the use of their respective counties.

A petition of sundry inhabitants of the town of Martinsburg, in the county of Berkeley, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that about five years since, the said town was laid off on the land of Maj. Gen. Stephen, where the courthouse and prison of the said county are built; that the petitioners have expended considerable sums of money in erecting buildings and improvements on their lots in the said town, and that there is a prospect of its becoming considerable, from its being situated in the midst of a rich and well settled country; that if the said town was established by law, their property would become more valuable, and themselves entitled to the inestimable privilege of voting for a representative of the county; that they have always contributed their quota of money towards defraying the public expenses, and do most heartily concur in the present form of government, which they are ready to defend with their lives and fortunes; and praying that the said town may be established by law, and themselves entitled to the privilege of voting for representatives for the said county.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Sarah Coke was presented to the House, and read; setting forth, that on the 18th of November 1775, her dwelling house was appropriated as barracks for a company of soldiers, for which she was to be allowed after the rate of 45l. per annum during their continuance therein; that she has sustained considerable damage in her said house from the troops being stationed therein, and praying to be reimbursed for the same, and to be paid the rent aforesaid.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Mecklenburg, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that it would tend to unite more firmly the natives of this State if the resolution respecting the factors of British merchants was extended to married as well as single natives of Great Britain, who were factors for or partners with merchants residing there, and have not uniformly manifested a friendly disposition to the American cause, and who, notwithstanding their connexions in this country by marriage, declare that the paper currency of this State is of very little or no value, and absolutely refuse to receive the same in discharge of the debts due to the British merchants with whom they are concerned; that they do not mean to exculpate many of their own countrymen, who esteem gold and silver so much more than paper as to demand a very considerable advance in exchanging the one for the other; and praying that all the natives of Great Britain, who have not uniformly shewn a friendly disposition to the American cause, may be compelled to leave this State, and that some more severe punishment may be inflicted upon those who depreciate the paper currency of these States and this Commonwealth.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Nicholas presented to the House, according to order, a bill "for dividing the county of Albermarle;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

The other orders of the day being read,

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House to take into consideration the state of the Commonwealth, and upon the bills "for regulating and disciplining the militia," and "to prevent forestalling."

And then the House adjourned till to-morrow morning, 10 o'clock.



THURSDAY, May 15, 1777.

Mr. Lee reported, from the committee of Public Claims, to whom the petition of John Campbell was referred, that the committee had examined the matter of the said petition, and had directed him to report the same, as it appeared to them, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, that the petitioner was, by a resolution of the committee of Safety, dated the 5th of January, 1776, empowered to purchase powder for the use of the public, from Detroit, or elsewhere to the westward of this State; that the purchase money, and expenses of transportation to such places as the said committee should direct, was to have been paid the petitioner in continental, Pennsylvania or Maryland currency; that in consequence thereof the petitioner engaged a certain James O'Hara, his partner in the Indian trade, to undertake the business, who set out to Sandusky with sundry goods, on a pretence to trade with the Indians, that being the only method by which he could possibly have intercourse with the traders of that place; that the said O'Hara, on his journey through the Indian country to Sandusky, was, by unfriendly Indians, robbed of sundries to the amount of 69*l.* 4*s.* and although every means which he could devise for the recovery of the said goods were pursued, and in endeavouring to recover them numerous dangers were encountered, yet every attempt to effect that purpose proved unsuccessful.

Whereupon, the committee came to the following resolution:

*Resolved, as the opinion of this committee,* That the said petition is reasonable, and that the following sums ought to be allowed the petitioner, to wit: The sum of 69*l.* 4*s.* the value of goods lost; the farther sum of 3*l.* 6*s.* to reimburse him so much paid an Indian for redeeming his saddle, &c. and the farther sum of 23*l.* 5*s.* for pay for James O'Hara, his man, and four horses, thirty one days travelling to, and returning from, Sandusky.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered,* That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

Mr. Fleming reported from the committee for Courts of Justice, that the committee had, according to order, examined what laws have expired, and inspected such temporary laws as will expire with the end of this session, or are near expiring, and had agreed upon a report, and come to several resolutions thereupon; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee,* That the act of Assembly passed in the year 1769, entitled "an act to prevent the exorbitant exactions of the collectors of the county and parish levies," which expired in the year 1774, ought to be revived and amended.

*Resolved, as the opinion of this committee,* That the act of Assembly passed in the year 1745, entitled "an act for the better regulating and collecting certain officers' fees, and for other purposes therein mentioned," which was continued and amended by an act passed in the year 1772, which expired the 12th day of April, 1774, ought to be revived, and amended.

*Resolved, as the opinion of this committee,* That the act of Assembly passed in the year 1762, entitled "an act for the more effectual keeping the public roads and bridges in repair," which was continued and amended by another act passed in the year 1766, and was revived and continued by another act passed in the year 1772, which expired the 11th day of April, 1774, ought to be revived, and amended.

*Resolved, as the opinion of this committee,* That the act of Assembly passed in the year 1776, entitled "an act for reviving several public warehouses for the reception of tobacco, and other purposes," which will expire at the end of the session of Assembly next after the 27th day of November, 1777, ought to be farther continued, and amended.

*Resolved, as the opinion of this committee,* That the act of Assembly passed in the year 1776, entitled "an act for the farther continuance of certain powers given to the Governor and Council, by an ordinance of the last Convention," which will expire at the end of this session of Assembly, ought to be farther continued.

*Resolved, as the opinion of this committee,* That so much of an act of Assembly made in the twenty-second year of the reign of king George II. entitled "an act for the support of the clergy, and for the regular collecting and paying the parish levies," or any other act as provides salaries for the ministers, and authorises the vestries to levy the same, except in the cases directed by an act of Assembly passed in the year 1776, entitled "an act for exempting the different societies of dissenters from contributing to the support and maintenance of the church as by law established, and its ministers, and for other purposes therein mentioned," ought to be suspended, until the end of the next session of Assembly.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That the committee for Courts of Justice do prepare and bring in a bill, or bills, pursuant to the said resolutions; and that Messrs. Nicholas and Harrison, be added to the said committee.

*Ordered,* That the committee for Courts of Justice be discharged from reporting from the journals of the last Session the several petitions and propositions then depending and undetermined, and that all such petitions and propositions be delivered of course to the proper committees.

A petition of John McKenny was presented to the House, and read; setting forth, that he had the misfortune to be wounded at the battle of Point Pleasant in three different places, and was allowed by the commissioners only 20*l.* for his present relief, and 10*l.* per annum, which he finds affords him by no means a comfortable subsistence, and praying such other and farther relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That any eleven members of the House who come to the committee of Propositions and Grievances, any seven to the committee of Privileges and Elections, and any five to the committee for Religion, and to the committee of Trade, may proceed to business.

The Speaker laid before the House a letter from the Governor, recommending to their attention George Gibson, Esq. who had, in his opinion, and that of the Privy Council, deserved well of his country, for the many important services he had rendered it; and the said letter was read.

*Ordered*, That the said letter do lie upon the table, for the perusal of the members.

A memorial of Messrs. Baker and Hardy was presented to the House, and read; setting forth, that on the 26th day of January 1776, they contracted with the committee of Safety to furnish the troops on the south side of James River at the rate of 7d. half-penny per ration; the number of troops to consist of two regiments, which probably might be increased to 200 men, and the contract to take place the first day of March then next following; that, upon entering on the business, the memorialists, found they had the first and second battalions of minute-men to furnish, making, in the whole, a number greater than they had contracted for; yet, considering that such a number might be requisite to the service, they never uttered a complaint, but applied themselves with cheerfulness to the discharge of their duty. Finding, however, soon after, they had also the 4th, 5th, and 8th regiments to furnish, and being well assured that the provision they had made would prove greatly insufficient for so great a number, they applied to the committee of Safety, and represented the difficulty which must attend their furnishing more than twice the number of troops for which they had contracted; that provisions were then considerably advanced in their prices, and were very scarce, and they feared not to be procured on the south side of James River: to which the committee of Safety replied, that the troops must be furnished at all events, and that the memorialists must procure the provision, and that if it should cost an higher price they would make an allowance for the same; in consequence of which they purchased a considerable quantity of provision, for which they were obliged to give an advance of 25 per cent. upon most of the articles; that from the commencement of their contract, to the first of June, they had at all times more troops, and many times twice the number, they had contracted for; that during that period fresh provisions were exceedingly scarce and dear; that from the great number of troops, several different posts were to be furnished, which, was attended with considerable trouble and expense, whereby they were deprived of the least profit by their contract, in which, however, they acquiesced, considering the season for grass beef was nearly advanced, when they doubted not but their profit would be adequate to their trouble and expense; but that about the last of May the 8th regiment marched to South Carolina, and nearly at the same time Col. Barber came down and insisted on furnishing the 5th regiment, being authorised by the committee of Safety so to do, and received 8d. per ration for the same; that about the 1st of June the 1st and 2d regiments marched to Williamsburg, and soon after the minute-men were also discharged, by which means the 4th regiment only remained to be furnished by them, in consequence of which there now remains on their hands 550 barrels of flour, which were found to be unsound, and not fit for use, by all which they have sustained considerable damage; that they have lately represented the whole matter to the Governor and Council, who have referred them to this honourable House; and praying their case may be taken into consideration, and that justice done them which they shall be found entitled to.

*Ordered*, That the said memorial be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Levi Shinn was presented to the House, and read; setting forth, that in the year 1774, he had a horse impressed by Capt. Lowther on the Monongahela, and sent to Col. Lewis's for ammunition for the use of the militia; that the Indians attacked those in whose possession the horse was, and killed him; that his said horse was appraised to 5l. and praying the same may be allowed him.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Thoroughgood Smith and company was presented to the House, and read; setting forth, that Lord Dunmore is indebted to them in the sum of 27l. 10s. and that he hath effects in this State which cannot be subjected to the payment of his debts without the direction of this House, and praying their demand may be directed to be paid out of the same.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Messrs. Starke, Henry, Prentis, Robinson, Randolph, and Rose, be added to the committee for Courts of Justice.

The order of the day being read, for the House to resolve itself into a committee of the whole House on the bill "for regulating and disciplining the militia;"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards



delivered the bill with the amendments in at the Clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, several of them were disagreed to, and others agreed to by the House.

*Ordered*, That the farther consideration of the said report be adjourned till to-morrow.

Mr. Starke, according to order, reported from the committee of the whole House, to whom was committed the bill "for regulating the appointment of delegates to General Congress," the amendments which the committee had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the Clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, several of them were disagreed to, and others agreed to, with amendments, by the House; and several amendments were made to the bill by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

The order of the day being read, for the House to resolve itself into a committee of the whole House upon the bill "to prevent forestalling,"

*Resolved*, That this House will on Monday next resolve itself into the said committee.

The other orders of the day being read,

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House upon the bill "for providing against invasions and insurrections," and upon the state of the Commonwealth.

*Resolved*, That this House will on this day fortnight resolve itself into a committee of the whole House to take into their consideration the memorial from the Mayor, Aldermen, Common Council, and other inhabitants of the borough of Norfolk, which was presented to the House of Delegates at their last session of Assembly.

And then the House adjourned till to-morrow morning, 10 o'clock.

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### FRIDAY, May 16, 1777.

Mr. Lee reported, from the committee of Public Claims, to whom the memorial of Messrs. Hardy and Baker was referred, that the committee had examined the matter of the said memorial, and had directed him to report the same, as it appeared to them, together with the resolutions of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, as the opinion of this committee, That Thomas Pierce and Goodrich Wilson be appointed commissioners to take the depositions of witnesses in the county of Isle of Wight, as well on behalf of this State as the said memorialists.

*Resolved*, as the opinion of this committee, That Wills Cowper and Jeremiah Godwin be appointed commissioners to take the depositions of witnesses in the county of Nansemond, as well on behalf of this State as the said memorialists.

*Resolved*, as the opinion of this committee, That Matthew Phripp and Cornelius Calvert be appointed commissioners to take the depositions of Thomas Bressie, Henry Bressie, William Hofter, and others, witnesses in the county of Norfolk, as well on behalf of this State as the said memorialists.

*Resolved*, as the opinion of this committee, That the subject matter of the said memorial be heard before this committee on Thursday the 29th of May.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

Mr. Lee reported, from the committee of Public Claims, that the committee had had under their consideration several petitions to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were read, and are as followeth, viz:

*Resolved*, as the opinion of this committee, That the petition of John Jarret Carter, a soldier in the 5th Virginia regiment of continental forces, who, by hard duty in the service of the United States, is rendered incapable at present of getting a livelihood by labour, is reasonable, and that the petitioner ought to be allowed the sum of 15*l*. for his present relief.

*Resolved*, as the opinion of this committee, That the petition of Isaac Smith and Preeson Bowdoin, executors of John Bowdoin, deceased, praying that Ned, a slave belonging to the estate of the said John Bowdoin, who was employed, under a resolution of Convention, in the lead mines, may be returned with hire, is reasonable; and that the petitioners ought to be allowed for the same, at the rate of 8*l*. per annum, from the 15th day of June, 1776, until the said slave shall be returned.

The said resolutions being severally read a second time, were, on the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Harrison reported, from the committee of Propositions and Grievances, that the committee had had under their consideration the petition of divers inhabitants of the county of Berkeley to them referred, and had come to the

following resolution thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee,* That the petition of divers inhabitants of the county of Berkeley, praying that a town may be established at the courthouse of the said county, is reasonable.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered,* That the committee of Propositions and Grievances do prepare and bring in a bill pursuant to the said resolution.

A petition of George Hickman was presented to the House, and read; setting forth, that he furnished diet and lodging for a number of the soldiers raised in the county of Accomack at their first enlistment, before any commissary was appointed, to the amount of 5*l.* 2*s.* and took in four prisoners of war, taken on that coast about the beginning of the year 1775, and maintained them till their board came to 6*l.* 2*s.* 6*d.* and praying the said sums of money may be allowed him.

*Ordered,* That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Charles Woshburn was presented to the House, and read; setting forth, that in the year 1774, he served as an ensign in Captain Lowther's company of militia 132 days, and has only been allowed 2*s.* 6*d.* per day, which is by no means adequate to his services, and praying such farther allowance as shall be thought just and reasonable.

*Ordered,* That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Anne Cottrell and John Powers was presented to the House, and read; setting forth, that in the year 1774, each of the petitioners had a horse in the service of the country 15 days, for which they have received no satisfaction, and praying to be allowed for the same what shall be thought just and reasonable.

*Ordered,* That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Daniel Warner was presented to the House, and read; setting forth, that in the year 1774, he served as a scout on the frontiers of Virginia 132 days, and was only allowed 15*l.* 2*s.* 6*d.* which he conceives is not adequate to his service, and praying such farther compensation as shall be thought just and reasonable.

*Ordered,* That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Rose was presented to the House, and read; setting forth, that he had 20 hogsheads of tobacco lodged at Westham, which were carried off by the great fresh in May, 1771; that three hogsheads thereof were taken up at Howlett's, and reprised by the inspectors of that warehouse; that the said tobacco was afterwards sold by the commissioners for the benefit of the country, and that he has received no satisfaction for the same, and praying to be allowed such compensation as shall be thought just and reasonable.

*Ordered,* That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Willis Wilkins was presented to the House, and read; setting forth, that the committee for the county of Norfolk have made an order for his removal out of the said county, for refusing to take the oath prescribed for suspected persons; that he has never acted contrary to any laws or regulations of the Assembly, and intends to continue obedient and subject to the same; that his refusing to take the oath proceeded purely from a scruple of conscience, and not from any sinister view or design; that he has served in the militia of his county, until discharged from thence by old age; that he hath never had any connexion with the enemies of America, save only at the time when he, amongst others, was compelled to take an oath imposed by Lord Dunmore, and praying to be relieved against the said order.

*Ordered,* That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry freeholders of the county of Orange, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that Mr. Charles Porter, one of the candidates at the election of delegates for the said county, on the 24th of April last, did, contrary to an ordinance of Convention, make use of bribery and corruption during the said election, and praying that the said election may be set aside.

*Ordered,* That the said petition be referred to the committee of Privileges and Elections; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered,* That leave be given to bring in a bill "for dissolving the vestry of the parish of Newport, in the county of Wright;" and that Messrs. Fulgham, Kello, Todd and Coleman, do prepare and bring in the same.

The order of the day being read, for resuming the adjourned consideration of the report of the committee of the whole House, to whom the bill "for regulating and disciplining the militia" was committed,

The House resumed the adjourned consideration of the said report, and the several other amendments were read a second time, one by one; and upon the question severally put thereupon, agreed to by the House.

*Ordered,* that the said bill, with the amendments, be engrossed.

A message from the Senate by Mr. Campbell:



MR. SPEAKER,—The Senate will proceed, by joint ballot, on Tuesday next, to the choice of delegates to Congress, agreeable to the resolution of this House.

The Senate have agreed to the resolution of this House for paying the several sums of money therein mentioned to John Campbell; and then he withdrew.

The Speaker laid before the House a letter from the Governor, enclosing several resolutions of Congress and other papers, and recommending the same to the consideration of this House.

And the said letter, resolutions, and other papers, were read.

*Ordered*, That the said letter, resolutions, and papers, be referred to the committee of the whole House upon the state of the Commonwealth.

The House, according to order, resolved itself into a committee of the whole House upon the state of the Commonwealth.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had made some progress in the matters to them referred, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, That it be recommended to the Governor and Council that they cause such clothing, arms, and ammunition, belonging to the Commonwealth, as are not immediately wanting here, together with the public records, to be removed with all convenient despatch to some interior part of the country, not exposed to any sudden irruption or enterprise of the enemy.

The said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Starke, do carry the said resolution to the Senate, and desire their concurrence.

Mr. Starke also acquainted the House, that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Ordered*, That the committee of Propositions and Grievances, be discharged from proceeding upon the petition of sundry inhabitants of the county of Mecklenburg, presented to the House on the 14th instant, and that the same be referred to the committee of the whole House, upon the state of the Commonwealth.

Mr. Nicholas presented to the House, according to order, a bill "for dividing the county of Cumberland;" and the same was received, and read the first time.

*Ordered*, That the bill be read a second time.

A petition of sundry inhabitants of the counties of Amherst and Buckingham was presented to the House, and read; setting forth, that the ferry established across the Fluvannah river in the year 1769, from the land of Benjamin Howard, in the county of Buckingham, to the opposite land of Neil Campbell, in the county of Albemarle, hath been found very inconvenient, and by no means to answer the end thereby intended, and praying that the said ferry may be discontinued, and that another may be established across the said river from each side of the mouth of Rockfish river, from the land of William Howard, in the counties of Amherst and Albemarle, to the opposite land of Thomas Anderson, in the county of Buckingham, and also from the land of the said Anderson to the land of the said Howard as aforesaid.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the inhabitants of the county of Amherst, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they are frequently subjected to great hazard and difficulty in crossing Rockfish River, owing to the rapidity of the stream, there being few places above the mouth where boats can cross with safety when the river is high, and praying that a ferry may be established across the same from the land of William Howard, in the county of Amherst, to the opposite land of the said Howard, in the county of Albemarle.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

An engrossed bill, "for regulating the appointment of delegates to General Congress," was read a third time.

*Resolved*, That the said bill do pass; and that the title be "an act limiting the time for continuing the delegates to General Congress in office, and making provision for their support."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That Mr. Todd, have leave to be absent from the service of this House until Tuesday next.

The House, according to order, resolved itself into a committee of the whole House upon the bill "for providing against invasions and insurrections."

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had made some progress in the bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to consider farther of the said bill.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill "to dissolve the vestry of the parish of Newport, in the county of Isle of Wight," that they have power to receive a clause, or clauses, to dissolve the vestry of Stratton-Major Parish, in the county of King and Queen.

*Ordered*, That Messrs. Woodson, Webb, Pickett, Edmondson, and Kello, be added to the committee of Public Claims.

Mr. Curle reported, from the committee to whom the petition of Jane Dixon was referred, that the committee had examined the said petition, and come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where the same was read, and is as followeth:

*Resolved, as the opinion of this committee*, That the allegations of the said petition are true.

*Ordered*, That the said petition be recommitted to the same committee.

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, May 17, 1777.

*Ordered*, That leave be given to bring in a bill "for regulating and disciplining the militias of the city of Williamsburg, and borough of Norfolk;" and that Messrs. Prentis, Nicholas, Curle, Norvell, Wilson, and Godfrey, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "to repeal so much of an act, entitled 'an act, to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,'" as suspends the collecting of taxes this present year; and that Messrs. Anderson, Penn, and Fleming, do prepare and bring in the same.

A petition of Charles Harris was presented to the House, and read; setting forth, that he was out on the Shawanese expedition, under Capt. Moffet, and in an engagement received a ball through his left arm, by which he is rendered incapable of getting a subsistence for himself and three small motherless children; that he has been allowed by the commissioners only 17l. 10s. which is by no means sufficient to enable him to get a livelihood, and praying such farther allowance as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Jonathan Lambert and Christopher Baker was presented to the House, and read; setting forth, that they served in Capt. William Lowther's company of militia on the west fork of Monongahela, the former 17 and the latter 132 days, but that by some means their names were not returned in the roll of the company, by which omission they have not been able to receive any satisfaction for their services, and praying to be allowed the same pay as others in the like service.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Leonard Crutcher was presented to the House and read; setting forth, that having chartered a small vessel for Philadelphia, lying in Rappahannock river, in the month of April, 1776, he was boarded in a violent and piratical manner by a certain Bridger, Goodrich and his crew, and robbed of 63l. cash, and other effects, with about 20l. worth of wearing apparel belonging to John Mayo, Esq.; after which the said Goodrich and his crew set fire to the vessel, which was consumed, and praying to be reimbursed out of the effects of the said Bridger, or of John Goodrich the elder, his partner.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill "for regulating and disciplining the militias of the city of Williamsburg and borough of Norfolk;" that they have power to receive a clause, or clauses, for enrolling in the militia of the said city, the president and masters of William and Mary College not being in holy orders, and the students.

A petition of Simon Girty was presented to the House, and read; setting forth, that in the year 1775, he was employed by Col. James Wood, who was sent on an embassy to the Indian towns, as an interpreter, and that he underwent on that journey the greatest fatigues, difficulties, and dangers; that he was allowed only 5s. per day by the commissioners for the same, which is by no means adequate to his services, and praying such farther allowance as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill "for dissolving the vestry of the parish of Newport, in the county of Isle of Wight;" that they have power to receive a clause, or clauses,



to dissolve the vestry of Christ Church Parish, in the county of Middlesex;" and that Messrs. Montague and Daniel, be added to the said committee.

*Ordered*, That the committee be appointed to examine and report the progress of the several public salt works since the last session of Assembly; and a committee was appointed of Mr. Starke, the members for Northumberland, Gloucester, York, Elizabeth City, Accomack, Nansemond, and Isle of Wight.

A petition of Edward Voss was presented to the House, and read; praying a farther allowance for a negro man slave named March, condemned and executed for burglary, by virtue of a sentence of the county court of Spotsylvania.

A motion was made, and the question being put, that the said petition be rejected, It was resolved in the affirmative.

A petition of Hamner Fear was presented to the House, and read; setting forth, that in March, 1776, he was accidentally wounded by a certain John Phillips, over whom he was sent as a guard; that he is thereby rendered incapable of getting his livelihood, and praying, as he received the wound aforesaid while he was in the country's service, and on duty, such relief may be granted him as shall be thought just and reasonable.

*Ordered*, That the said memorial be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Thomas Lewis was presented to the House, and read; setting forth, that in November, 1776, being called on duty at Portsmouth, from the county of Nansemond, he was, on his way thither, wounded by a horse, by which his leg bone was broke in different places; that a doctor then present immediately came to his assistance, and had him placed in a private room in a tavern, the nearest house to the place where the accident happened; that he remained there 33 days, and incurred considerable expense to the doctor and tavern-keeper, and praying such relief as the House shall think just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Charles Hay, William Johnson, Robert Horseley, Merritt Magan, John Woodroof, John Brown, Mitchell Floyd, Thomas Smith, Edmund Pendleton, Thomas Sheldon, George Witt, Pierce Wade and John Guthry, was presented to the House, and read; setting forth, that they were soldiers in the service of this State, and when on duty in the months of June and July last, were seized with violent disorders, and sent home to recover their healths; that they were obliged to employ a physician, whose account amounts to 17*l.* 15*s.* 2*d.* besides 3*l.* 9*s.* 6*d.* for attendance and medicine on the petitioner John Guthry, a soldier in the continental service, and praying to be reimbursed the said several sums of money.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Fleming presented to the House, according to order, a bill "for farther suspending the payment of the salaries heretofore given to the clergy of the church of England;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

A petition of William M'Clanahan was presented to the House, and read; setting forth that in June, 1776, a lighter, the property of the petitioner, was impressed into the country's service, and has not since been returned to him, but as he has understood, is lost, and praying to be allowed the valuation thereof.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Robert Long was presented to the House, and read; setting forth, that he was a soldier in Captain Jameson's company of minute-men, in the year 1775, and was in actual service at Norfolk and other places during the winter; that the many hardships he suffered in that inclement season, and the severity of the duty, brought on him a disorder which has entirely deprived him of the use of his limbs, and rendered him incapable of serving his country as a soldier, or getting a livelihood by any other means, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Lydia Mayle, relict of Dr. Charles Mayle, deceased, was presented to the House, and read; setting forth, that the troops in the service of this State, when stationed at the Great Bridge, did take possession of sundry houses belonging to the estate of the said Charles Mayle, and made use thereof for barracks, by means of which the said houses received much damage, as appears from a valuation thereof made upon oath; that the said houses were kept possession of by the troops from the 28th of November, 1775, until the 28th June, 1776, during which time they took, destroyed, and made use of a large quantity of lumber belonging to the said estate, and praying to be allowed such compensation as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of the whole House upon the state of the Commonwealth.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, recommending it to the Governor and Council to cause the clothing, arms, and ammunition belonging to the Commonwealth, together with the public records, to be removed to some interior part of the country; and then he withdrew.

Mr. Starke reported, from the committee of Privileges and Elections, that the committee had had under their consideration a petition of divers inhabitants, freeholders of the county of Orange, to them referred, complaining of an undue election and return of Mr. Charles Porter to serve as a delegate in this present General Assembly for the said county, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were read, and are as followeth, viz:

*Resolved, as the opinion of this committee,* That the petitioners, or either of them, and the said Charles Porter, be at liberty to examine witnesses before Francis Moore, William Bell, Zachariah Burnley, and William Pannell, gentlemen, or any two of them, as to any bribery or corruption made use of or practised by the said Charles Porter during the said election, and that they return the depositions to this committee.

*Resolved, as the opinion of this committee,* That the subject matter of the said petition be heard before the committee on Monday the 9th of June next.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

A petition of Gideon Truss was presented to the House, and read; setting forth, that during the time the troops of this State were stationed at the Great Bridge, in the county of Norfolk, they made use of his houses for barracks, in consequence of which they received considerable damage, as may appear by a valuation thereof made on oath; that the said houses were in possession of the soldiery from the 30th of November, 1775, until the 12th of July, 1776, and praying such relief as shall be thought just and reasonable.

*Ordered,* that the said petition be referred to the committee of the whole House upon the state of the Commonwealth.

A petition of Josiah Truss was presented to the House, and read; setting forth, that when the troops in the service of this State were stationed at the Great Bridge, his houses were made use of for barracks from the 5th day of February, till the 12th of July following, in consequence of which they were greatly damaged, and that the said troops did take, make use of, and destroy, a quantity of lumber, the property of the petitioner, and praying to be allowed such compensation as shall be thought just and reasonable.

*Ordered,* that the said petition be referred to the committee of the whole House upon the state of the Commonwealth.

A petition of William Smith was presented to the House, and read; setting forth, that during the time the troops of this State were stationed at the Great Bridge, they made use of his house for barracks, from the 28th of November, 1775, until the 12th of July, 1776; in consequence of which they received much damage; that a quantity of bricks, the property of the petitioner, were taken by order of the commanding officer, for barracks, and praying such compensation may be made him as shall be thought just and reasonable.

*Ordered,* That the said petition be referred to the committee of the whole House upon the state of the Commonwealth.

A bill "for dividing the county of Cumberland," was read a second time.

*Resolved,* That the bill be committed to Messrs. Fleming and Randolph.

The order of the day being read, for the House to resolve itself into a committee of the whole House to consider farther of the bill "for providing against invasions and insurrections,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report when the House will please to receive the same.

*Ordered,* That the report be received on Monday next.

*Resolved,* That this House will on Tuesday next proceed, by joint ballot with the Senate, to the choice of a Naval Officer for the district of York river, in the room of Jaquelin Ambler, Esq.; a commissioner of the Navy in the room of Thomas Newton, Esq.; and of an Adjutant General to this Commonwealth in the room of Thomas Bullitt, Esq. who have severally resigned the said offices.

*Ordered,* That Mr. Starke do acquaint the Senate therewith.

A memorial of several marine officers, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that, by an act passed the last session of Assembly they were turned over into the land service, being satisfied by a clause in the said act they were to preserve their rank, which was then equal to that of officers in the regular army; but that, upon application to the Governor and Council, they find difficulties arise with them as to the construction of the said act of Assembly, some being of opinion the minute officers are to rank before the memorialists, their commissions being of elder date, whilst others think the memorialists are entitled to rank before the minute officers, notwithstanding the priority of their former commissions; that they hope this House will not consider their application as impertinent, but however trifling rank may appear in civil departments, it is thought a thing of the greatest consequence in the military, insomuch that he who will submit to give up that rank to which he is entitled is thought unworthy of any, and praying that the act of Assembly aforesaid may be explained.

*Ordered,* That the said memorial be referred to the consideration of a committee, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House; and it is referred to Messrs. Jefferson Acрил, M'Dowell, Thomas Hite of Berkeley, and Lee.



The other order of the day being read,

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

And then the House adjourned till Monday morning, 10 o'clock.

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MONDAY, May 19, 1777.

Several other members, having taken the oath appointed by law, took their seats in the House.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the resolution of this House for paying to John Jarret Carter the sum of 15*l*. for his present relief.

The Senate have agreed to the resolution of this House directing a negro man slave, named Ned, to be delivered to the executors of John Bowdoin, deceased, and for paying to the said executors after the rate of 8*l*. per annum, from the 15th of June 1776, until the said slave shall be returned, for his hire; and then he withdrew.

*Ordered*, That Messrs. Banister, Curle, Harvie, Bolling, Adams, M'Dowell, Flenning and Carter, be added to the committee appointed to examine into and report the progress of the several public salt works since the last session of Assembly, and that any five of the said committee be a sufficient number to proceed to business.

A petition of Joshua Humphrys, Joshua Parry, Alexander Simpson and Jacob Gabbott, was presented to the House, and read; setting forth, that they were among the first who undertook the manufactory of fire arms in this State, and that they were actuated in this by a desire to assist the country, at that time greatly distressed for those articles, at the same time expecting to receive sufficient to support their large and growing families; that they have put themselves to great trouble and expense in erecting proper works for carrying on the said business, although they have been much retarded by the difficulty of getting hands and procuring materials; notwithstanding which they are now able to furnish government with nine stand of arms per week, equal, as they expect, to any yet produced; but that as every necessary for carrying on the said business is now raised to double and treble what it was heretofore, they pray their case may be taken into consideration, and such farther encouragement given them as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Fleming reported, from the committee to whom the bill "for dividing the county of Cumberland" was committed, that the committee had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the Clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, were agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

Mr. Starke reported, from the committee of Privileges and Elections, that the committee had had under their consideration the several certificates of the election of delegates to serve in this present General Assembly, and compared the same with the form prescribed by law, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, As the opinion of this committee, that the certificates of the election of delegates to serve in this present General Assembly for the counties of Accomack, Albemarle, Amherst, Amelia, Augusta, Berkeley, Caroline, Charles City, Charlotte, Chesterfield, Culpeper, Cumberland, Dunmore, Elizabeth City, Essex, Fauquier, Halifax, Hampshire, Hanover, Henrico, Henry, James City, Isle of Wight, King & Queen, Lancaster, Louisa, Lunenburg, Mecklenburg, Middlesex, Nansemond, New Kent, Northampton, Northumberland, Princess Anne, Prince Edward, Prince William, Richmond, Spotsylvania, Southampton, Stafford, Surry, Sussex, Warwick, Westmoreland, York, and of one delegate for the counties of Goochland and Orange, the borough of Norfolk, and City of Williamsburg, are made in the form prescribed by law.

*Resolved*, as the opinion of this committee, That the certificates of the election of delegates to serve in this present General Assembly for the counties of Gloucester, Loudoun, and Prince George, and one delegate for the county of Goochland are not made in the form prescribed by law.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the last of the said resolutions do lie upon the table.

*Ordered*, That Mr. Bowyer be added to the committee of Public Claims.

The Speaker laid before the House, a letter from Thomas Nelson, Esq. informing him, that being too much indisposed longer to attend the General Congress, he had returned to this country, and recommending that another delegate be immediately chosen in his room.

And the said letter was read.

*Ordered*, That the said letter do lie upon the table.

*Resolved*, That a committee be appointed to draw and prepare proper instructions to the delegates representing this Commonwealth in General Congress.

And a committee was appointed, of Messrs. Nicholas, Bullitt, Starke, Braxton, Henry, Harvie, Banister, Griffin, Fleming and Curle.

A bill "for dividing the county of Albemarle," was read a second time.

*Ordered*, That the bill be engrossed.

Mr. James Speed presented to the House, according to order, a bill "for adding part of the county of Charlotte to the county of Lunenburg;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A memorial of sundry officers, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they have been in the service of this Commonwealth as officers in the minute battalions, and since the passing of the act for the internal security and defence of this country have entered into the regular service, having been taught to believe, from the plainest construction of the said act, they should take rank agreeable to their former commissions; that they were induced the more to expect this, as many of them had been a considerable time in actual service with the regulars, and underwent the same fatigues and hardships; that they are not a little unhappy to find the Governor and Council, to whom application has been made on this subject, have doubts whether the marine officers who have not been so long in service, shall not take rank of them; that they conceive the rank of officers should be settled by the dates of their commissions, and praying this House will be pleased to make such explanation of the act of Assembly aforesaid as shall be thought just and reasonable.

*Ordered*, That the said memorial be referred to the consideration of a committee, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House; and it is referred to Messrs. Jefferson, Acrill, M'Dowell, Thomas Hite of Berkeley, and Lee.

Mr. Starke, according to order, reported, from the committee of the whole House, to whom was committed the bill "for providing against invasions and insurrections," the amendments which the committee had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, the same were agreed to, with amendments to some of them.

And several amendments were made to the bill by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

*Ordered*, That Mr. Starke have leave to be absent from the service of this House until this day fortnight.

Mr. Lee reported, from the committee of Public Claims, that the committee had had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee*, That the petition of Joseph Garner, a soldier in the regular service, who was accidentally wounded by a ball from a musket in the hands of one of his fellow soldiers, and thereby disabled from obtaining a livelihood by his labor, is reasonable, and that he ought to be allowed the sum of 5*l.* per annum during his life towards his support.

*Resolved, as the opinion of this committee*, That the petition of Anne Cottrell and John Powers, praying to be allowed hire for their horses impressed by Capt. Lowther for the service of the country, and detained therein fifteen days, for which they have received no satisfaction, is reasonable, and that they ought to be allowed each the sum of 18*s.* 9*d.* for the same.

*Resolved, as the opinion of this committee*, That the petition of Daniel Warner, praying a farther allowance of pay as a scout in Capt. Lowther's company of rangers, be rejected for want of sufficient proof.

On considering the petition of Charles Washburn, it appears to your committee, from Capt. William Lowther's roll, that the petitioner served as ensign in the said Lowther's company of rangers, consisting of 40 privates, 132 days, for which services he was allowed by the commissioners 2*s.* 6*d.* per day, being only serjeant's pay; whereupon your committee came to the following resolution, viz:

*Resolved*, That the said petition is reasonable, and that the petitioner ought to be allowed the farther sum of 3*s.* 6*d.* per day, being the difference of pay due to him as an ensign the above time, amounting to 23*l.* 2*s.*

The first and second resolutions of the committee being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The fourth resolution of the committee being read a second time, and the question being put that the House doth agree with the committee in the said resolution,

It passed in the negative.

*Ordered*, That Mr. Lee do carry the first and second of the said resolutions to the Senate, and desire their concurrence.

Mr. Anderson presented to the House, according to order, a bill "to repeal so much of an act, entitled, 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year;" and the same was received, and read the first time.

*Ordered*, That the bill be read a second time.

An engrossed bill, "for better regulating and disciplining the militia," was read the third time



*Resolved*, That the bill do pass; and that the title be, "an act for better regulating and disciplining the militia."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

The other orders of the day being read,

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will to-morrow resolve itself into a committee to consider of the bill "to prevent forestalling."

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, May 20, 1777.

Several petitions of sundry inhabitants of the counties of Bedford and Henry, praying a division of the said county of Bedford, and also several other petitions of the said inhabitants in opposition thereto, were presented to the House, and read.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Thomas Price was presented to the House, and read; setting forth, that on the 17th of October, 1775, one John Rogers, by the order of Col. Joseph Hutchings, took out of his cellar in Norfolk five new cannon, properly mounted, for the use of Capt. Matthews's minute company, for which he has received no satisfaction; and praying such compensation may be made him as shall appear just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of the churchwardens and vestry of the parish of Bruton was presented to the House, and read; setting forth, that in consequence of the great resort of soldiers to the city of Williamsburg and its environs, besides a number of other persons who are necessary attendants on a camp, most of whom are of the poorer sort of people, they are apprehensive of a very considerable increase of their poor rates, if such persons should gain a settlement in the said parish, as they will, after a year's residence therein, under the act of Assembly "for better securing the payment of levies and restraint of vagrants, and for making provision for the poor;" that in the act of Assembly "for employing and better maintaining the poor," whereby the vestries of the several parishes are empowered to erect workhouses, it was thought necessary to provide, that no person, by being removed to such workhouse, should gain a settlement in the parish to which it belongs, but should be deemed a resident of the parish from whence he or she was removed; that if such caution was necessary with respect to a measure which might be supposed to affect the several parishes in the country, in nearly an equal degree, it seems to them to be much more so on the present occasion, when, from the peculiarity of situation, the inhabitants of their parish are likely to be so very unequally burthened; and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said memorial be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Jefferson have leave to be absent from the service of this House for the remainder of the session.

Mr. Curle reported, from the committee to whom the petition of Jane Dixon was recommended, that the committee had had under their farther consideration the said petition, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, as the opinion of this committee, That the subject matter of the said petition is properly cognizable before a court of law, and that the petitioner should be left to seek remedy therein.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

An engrossed bill, "for dividing the county of Albemarle," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act for dividing the county of Albemarle, and parish of St. Anne."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

A petition of Arthur Campbell and William Edmondson was presented to the House, and read; setting forth, that the petitioners, with Anthony Bledsoe and William Cocke, were candidates at the last election of delegates for the county of Washington; that on the close of the poll it appeared that the greatest number of votes taken in was in favor of Anthony Bledsoe and William Cocke, owing, as they conceive, to many votes being given in by persons who reside in North Carolina, and others not entitled to vote; that they apprehend the said Bledsoe is incapable of sitting as a member of the legislature, he having a military command, which excludes him by the constitution; that the said Cocke is not possessed of such landed property in the county as is required by law, not to mention some instances of bribery and corruption practised contrary to the spirit of the present government; that these matters give dissatisfaction to what they believe to be a majority of the legal electors in the said county; and submitting themselves to such determination as shall be thought just and reasonable

*Ordered*, That the said petition be referred to the committee of Privileges and Elections; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

An engrossed bill, "for dividing the county of Cumberland," was read the third time.

An engrossed clause was offered to be added to the bill, by way of ryder, for appointing the first sheriff in the county of Powhatan in the bill mentioned.

And the said clause was thrice read, and, upon the question put thereupon, agreed to by the House, to be made part of the bill by way of ryder.

*Resolved*, That the bill do pass, and that the title be "an act for dividing the county of Cumberland."

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate will proceed, by joint ballot with this House, to the choice of a naval officer in the room of Jaquelin Ambler, Esq.; a commissioner of the navy in the room of Thomas Newton, Esq.; and of an adjutant general in the room of Thomas Bullitt, Esq. agreeable to the resolution of this House; and then he withdrew.

The several orders of the day being read,

*Resolved*, That this House will to-morrow proceed, by joint ballot with the Senate, to the choice of a delegate to represent this State in General Congress in the room of Thomas Nelson, Esq.; of five delegates to represent this State in the said Congress for one year from the 11th of August next; of a naval officer in the room of Jaquelin Ambler, Esq.; a commissioner of the navy in the room of Thomas Newton, Esq.; and of an adjutant general in the room of Thomas Bullitt, Esq.

*Ordered*, That Mr. Jefferson do acquaint the Senate therewith.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to take under their farther consideration the state of the Commonwealth.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, upon the bill "to prevent forestalling."

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, May 21, 1777.

A message from the Senate by Mr. Bland:

MR. SPEAKER,—The Senate have agreed to the bill entitled "an act limiting the time for continuing the delegates to General Congress in office, and making provision for their support," with some amendments, to which amendments the Senate desire the concurrence of this House; and then he withdrew.

And the said amendments were read, and are as followeth:

Line 1st, leave out from the word *person* to the word *shall* in the third line, and insert, *who shall have served three years as a member of Congress, or shall hereafter serve three years, including the time he hath heretofore served.*

Line 4th, after the word *year*, insert *and be it farther enacted, that no person hereafter chosen a member of the Continental Congress, shall be eligible to either House of General Assembly of this Commonwealth, during his continuance in the said office.*

Line 5th, leave out the word *eight*, and insert *seven*. To the title of the bill add, *and for other purposes.*

The first of the said amendments being read a second time, the following amendment was proposed to be made thereunto:

To leave out the words *three years a member of Congress, or shall hereafter serve three years*, and insert *or shall hereafter serve as a member of Congress for three years successively*. And the same was, upon the question put thereupon, agreed to by the House.

Then the said amendment, thus amended, was, upon the question put thereupon, agreed to by the House.

The next amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

The next amendment being read a second time, was, upon the question put thereupon, disagreed to by the House.

The last amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and acquaint them that this House doth agree to the first of the said amendments by them proposed to the said bill, with an amendment to the said first amendment, to which amendment to the amendment this House doth desire the concurrence of the Senate, and that this House doth agree to the second and last amendments, and doth disagree to the third amendment.

*Resolved*, That the Governor be desired to order a state of the six additional battalions voted by the last Assembly to augment the continental army, and also of the three battalions directed to be raised for the immediate defence of this Commonwealth, to be laid before the House; that they may be informed of every deficiency in the new recruits, and in what particular parts of the country such deficiencies have happened; that he be likewise desired, so far as it can be done, to order a state of the nine old battalions to be laid before the House, that they may know how many of them have re-enlisted pursuant to the act of Assembly, and what deficiencies have happened in these enlistments.

A petition of James Woodie was presented to the House, and read; setting forth, that in the month of February, 1776, he was employed by the Hon. Archibald Cary, Esq. to hire wagons and superintend the removal of a number



of the inhabitants of the counties of Norfolk and Princess Anne to the interior parts of this country, in which service he was employed 73 days, found his own horse, and bore his own expenses; that he was also employed 54 days to hire wagons and superintend the removal of the implements of the rope works from Norfolk to Warwick, and paying such allowance as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of James Alexander, James Gwin, James Henley, Francis Tincher, and William Blarton, was presented to the House, and read; setting forth, that having settled on the sinks of Greenbrier, before the order of Council allowing every person who should settle on unimproved land to be entitled to a quantity thereof in proportion to his improvements, they settled in the following manner, to wit: The petitioner, James Alexander, on the land whereon he now lives in the year 1773, understanding it had been surveyed by Col. Andrew Lewis for some person in Pennsylvania, who, not performing the conditions of the grant, he thinks himself now entitled thereto, agreeable to the order of Council aforesaid. The petitioner, James Gwyn, settled on his land in the year 1770, in expectation of receiving a right from some person, or of the government. That the petitioner, James Henley, settled upon unimproved land in the year 1771, with the same expectations. That the petitioner, Francis Tincher, purchased another man's right, who made some improvement, in the year 1771, not knowing it had been either claimed or surveyed by any other person; that he requested Samuel Lewis to survey it for him, who refused, alleging the same was within his father's grant. That the petitioner, William Blanson, is settled on land held by another man before him, by order of Col. Charles Lewis, and purchased his improvements on the said Lewis's promising to warrant the title of the said land to him; that some time after, the said Lewis informed the said Blanson it was surveyed, and that he might still hold the land on paying 3*l.* for every hundred acres. That they have made application to General Lewis for titles to their respective settlements, offering to pay a reasonable price for the same, but that he refuses to make them any right whatsoever thereto; and praying to be relieved in such manner as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of the whole House on the state of the Commonwealth. Mr. Acrill reported, from the committee to whom the memorials of the officers lately employed in the marine and minute service were referred, that the committee had examined the said memorials, and had agreed upon a report, and come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, from an act passed the last session of Assembly, entitled "an act for making a farther provision for the internal security and defence of this country," that the officers of the marines should bear the same rank as they held at the time of passing the said act, notwithstanding they were taken into, and to compose part of, the three battalions to be raised by virtue thereof.

It also appears to your committee, from the said act, that if so many of the said officers of marines, and of the minute battalions therein mentioned, should be willing to enter into the said services, as to exceed the number required, the supernumerary officers were to be struck out of the minute-men.

Whereupon your committee came to the following resolution, viz:

*Resolved*, as the opinion of this committee, That the officers late in the marine service, and now in the land service, ought to take rank of the minute officers of the same rank.

*Ordered*, That the said memorials be recommitted to the said committee; and that Messrs. Nicholas, Bullitt, Henry, and Bowyer, be added to the said committee.

Mr. Wills presented to the House, according to order, a bill "for dissolving the vestry of the parish of Newport, in the county of Isle of Wight;" and the same was received, and read the first time.

*Resolved*, That the said bill be read a second time.

A message from the Senate by Mr. Bland:

MR. SPEAKER,—The Senate doth agree to the amendment made to their first amendment to the bill entitled "an act limiting the time for continuing the delegates to General Congress in office, and making provision for their support," and do recede from their third amendment which was disagreed to by this House; and then he withdrew.

A petition of the court of Lunenburg county, and vestry of Cumberland parish, and of sundry inhabitants of the said county of Lunenburg, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the said court and vestry had, agreeable to law, laid the levy in tobacco, by which the collectors are left at liberty to demand of those who have not tobacco, whatever prices they shall think proper; by which many of the said inhabitants will be greatly injured, and the public no way benefited, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, allowing to Joseph Garner 5*l.* per annum during life for his support; and also,

The Senate have agreed to the resolution of this House for allowing to Anne Cottrell and John Powers the sum of 18*s.* 9*d.* each. And then he withdrew.

A petition of Mills Wilkinson was presented to the House, and read; setting forth, that some time in the month of January 1776, he had a negro man slave named Cuffy, taken up by the troops at Portsmouth and sent up to the committee



of safety, at Williamsburg, who ordered the said slave to be transported to the West Indies in a vessel belonging to Capt. John Dixon, which was taken by the enemy; and praying to be allowed the value of the said slave.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That no petition be received after Tuesday se'nnight next.

*Ordered*, That Mr. Curle have leave to be absent from the service of this House until Monday next.

A bill "To repeal so much of an act, entitled, 'an act, to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends collecting of taxes this present year," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, upon Friday next, resolve itself into a committee of the whole House, upon the said bill.

A bill "For farther suspending the payment of the salaries heretofore given to the clergy of the church of England," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will upon Tuesday next resolve itself into a committee of the whole House upon the said bill.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate are ready to proceed to the appointment of a naval officer for the district of York river, in the room of Jaquelin Ambler, Esq.; a commissioner of the navy in the room of Thomas Newton, Esq.; of an adjutant general in the room of Thomas Bullitt, Esq.; of a delegate to the General Congress in the room of Thomas Nelson, Esq.; and of five delegates to represent this State in General Congress, for one year from the 11th of August next; but the Senate are willing, if it be agreeable to this House, that the said elections be postponed till to-morrow. And then he withdrew.

The several orders of the day being read,

*Resolved*, That this House will to-morrow proceed, by joint ballot with the Senate, to the choice of a delegate to represent this State in General Congress, in the room of Thomas Nelson, Esq.; and of five delegates to represent this State in the said Congress for one year, from the 11th of August next.

*Resolved*, That this House will to-morrow proceed, by joint ballot with the Senate, to the choice of a naval officer for the district of York river, in the room of Jaquelin Ambler, Esq.; a commissioner of the navy in the room of Thomas Newton, Esq.; and of an adjutant general in the room of Thomas Bullitt, Esq.

*Ordered*, That Mr. Nicholas do acquaint the Senate therewith.

A bill "for adding part of the county of Charlotte to the county of Lunenburg" was read a second time.

*Ordered*, That the bill be engrossed.

An engrossed bill, "for providing against invasions and insurrections," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act for providing against invasions and insurrections."

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and desire their concurrence.

The House proceeded to nominate persons to be ballotted for as delegates to represent this State in General Congress, in the room of Thomas Nelson, Esq.; and for five delegates to represent this State in the said Congress for one year, from the 11th of August next; of persons to be ballotted for as a naval officer for the district of York river in the room of Jaquelin Ambler, Esq.; as a commissioner of the navy in the room of Thomas Newton, Esq.; and of an adjutant general in the room of Thomas Bullitt, Esq. And several persons were nominated accordingly.

*Ordered*, That Mr. Carter do carry a list of the persons so nominated to the Senate.

*Ordered*, That Messrs. Jett, Dabney, Poage, Underwood, Winslow, King, and Westwood, be added to the committee of Public Claims.

*Ordered*, that Mr. Edmondson be added to the committee for Courts of Justice.

Three other orders of the day being read,

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House upon the bill "to prevent forestalling."

And then the House adjourned till to-morrow morning, 10 o'clock.

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THURSDAY, May 22, 1777.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—I am directed by the Senate to lay before this House a list of the persons who have been nominated by them as proper to be ballotted for as delegates to Congress; a naval officer for the district of York river; a com-

missioner of the navy, and an adjutant general; and that they are now ready to proceed to the choice of those officers; and then he withdrew.

Another person was nominated as proper to be ballotted for as a delegate to Congress.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

The order of the day being read, for the House to proceed, by joint ballot with the Senate, to the choice of a delegate to represent this State in General Congress in the room of Thomas Nelson, Esq.; and of five delegates to represent this State in the said Congress for one year from the 11th day of August next,

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be a delegate in the room of the said Thomas Nelson, Esq.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Carter, Fitzhugh, Bullitt, Braxton and Griffin; and they are to withdraw immediately.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

Mr. Carter reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For George Mason, Esq. 81

Joseph Jones, Esq. 26

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed one of the delegates to represent this State in General Congress for one year from the 11th day of August next.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Carter, Fitzhugh, Bullitt, Braxton, and Griffin; and they are to withdraw immediately.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

Mr. Carter reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Benjamin Harrison, Esq. 53

George Mason, Esq. 33

Richard Henry Lee, Esq. 10

For Joseph Jones, Esq. 5

Francis Lightfoot Lee, Esq. 6

Thomas Adams, Esq. 2

And it appearing, from the report of the committee, that neither of the persons therein mentioned hath a majority of both Houses, the House proceeded to ballot between the said Benjamin Harrison and George Mason, Esquires, they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets, to be put into the glasses with the name of the person to be appointed.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the said Benjamin Harrison and George Mason, Esquires, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Carter, Fitzhugh, Bullitt, Braxton, and Griffin; and they are to withdraw immediately.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

Mr. Carter reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the per-

sons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Benjamin Harrison, Esq.	62
George Mason, Esq.	45

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed another of the delegates to represent this State in General Congress for one year from the 11th day of August next.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Carter, Fitzhugh, Bullitt, Braxton and Griffin; and they are to withdraw immediately.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

Mr. Carter reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where the same was read, and is as followeth:

For George Mason, Esq.	77	For Francis Lightfoot Lee, Esq.	3
Joseph Jones, Esq.	15	Richard Henry Lee, Esq.	2
Mann Page, Esq.	5	James Mercer, Esq.	1
John Banister, Esq.	3	Meriwether Smith, Esq.	1

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed another of the delegates to represent this State in General Congress for one year from the 11th day of August next.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Carter, Fitzhugh, Bullitt, Braxton and Griffin; and they are to withdraw immediately.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

Mr. Carter reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Joseph Jones, Esq.	56	For Corbin Griffin, Esq.	3
Francis Lightfoot Lee, Esq.	17	Meriwether Smith, Esq.	3
Bolling Starke, Esq.	9	John Banister, Esq.	2
Richard Henry Lee, Esq.	9	Thomas Adams, Esq.	1
John Harvie, Esq.	9		

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed another of the delegates to represent this State in General Congress for one year from the 11th day of August next.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Carter, Fitzhugh, Bullitt, Braxton and Griffin; and they are to withdraw immediately.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

Mr. Carter reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the per-



sons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Francis Lightfoot Lee, Esq.	32	For Meriwether Smith, Esq.	4
John Banister, Esq.	22	William Ellzey, Esq.	2
John Harvie, Esq.	20	Mann Page, Esq.	2
Richard Henry Lee, Esq.	11	Corbin Griffin, Esq.	1
Bolling Starke, Esq.	11		

And it appearing, from the report of the committee, that neither of the persons mentioned in the report hath a majority of both Houses, the House proceeded to ballot between the said Francis Lightfoot Lee and John Banister, Esquires, they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the said Francis Lightfoot Lee and John Banister, Esquires, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Carter, Fitzhugh, Bullitt, Braxton and Griffin; and they are to withdraw immediately.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

Mr. Carter reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Francis Lightfoot Lee, Esq.	73
For John Banister, Esq.	31

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed the other delegate to represent this State in General Congress for one year from the 11th day of August next.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Carter, Fitzhugh, Bullitt, Braxton and Griffin; and they are to withdraw immediately.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

Mr. Carter reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For John Harvie, Esq.	59	For James Mercer, Esq.	4
John Banister, Esq.	21	William Ellzey, Esq.	2
Richard Henry Lee, Esq.	10	Thomas Adams, Esq.	2
Mann Page, Esq.	5	Meriwether Smith, Esq.	1

*Resolved*, That the said George Mason, Esq. be appointed a delegate to represent this State in General Congress in the room of Thomas Nelson, Esq. and that the said Benjamin Harrison, George Mason, Joseph Jones, Francis Lightfoot Lee and John Harvie, Esquires, be appointed delegates to represent this State in the said Congress for one year from the 11th day of August next, they having been respectively chosen for that purpose by joint ballot of both Houses.

*Ordered*, That Mr. Carter do carry the said resolution to the Senate, and desire their concurrence.

A petition of sundry inhabitants of the county of Cumberland, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they are greatly alarmed at the progress which some of the dissenters from the church as by law established are daily making in various parts of this country, by persuading the ignorant and unwary to embrace their erroneous tenets, which the petitioners conceive to be not only opposite to the doctrines of true christianity, but subversive of the morals of the people, and destructive of the peace of families, tending to alienate the affection of slaves from their masters, and injurious to the happiness of the public; that while such attempts are making, to pull down all the barriers which the wisdom of our ancestors have erected to secure the

church from the inroads of the sectaries, it would argue a culpable lukewarmness tamely to sit still and not to make known their sentiments, so contrary to such innovations; that all these bad effects have been already experienced in their county, and the parts adjacent, to be the dismal consequences of the doctrines of these new teachers; that, through their means, they have seen, with grief, great discontent made between husbands and their wives; that there have been nightly meetings of slaves, to receive the instructions of these teachers, without the consent of their masters, which have produced very bad consequences; that the petitioners, not actuated by the narrow and blood-thirsty spirit of persecution, wish to see a well regulated toleration established, by which those conscientious brethren who, from principle, cannot join with the church, may be permitted to serve God in their own way without molestation, but that they wish also that nightly meetings may be prohibited under severe penalties, and that those only who, after a due examination of their morals, shall be found worthy, may be authorised to preach, and that only in such public meeting houses as it may be thought proper to license for the purpose; that they apprehend these purposes may be answered without destroying those gentle and wholesome restraints which the wisdom of ages, and the policy of our laws, have established; and praying the church may be maintained in all its legal rights, and that the sectaries may be indulged with such a regulated toleration as shall be thought reasonable, and that the clergy of the established church may be made accountable for their conduct, and removable for misbehaviour.

*Ordered*, That the consideration of the said petition be referred to the next session of Assembly.

The other orders of the day being read,

*Resolved*, That this House will to-morrow proceed, by joint ballot with the Senate, to the choice of a commissioner of the navy, in the room of Thomas Newton, Esq.; a naval officer for the district of York river in the room of Jaquelin Ambler, Esq.; and of an adjutant general in the room of Thomas Bullitt, Esq.; they having severally resigned the said offices.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to consider of the bill "to prevent forestalling."

And then the House adjourned till to-morrow morning, 10 o'clock.

### FRIDAY, May 22, 1777.

The order of the day being read, for the House to proceed, by joint ballot with the Senate, to the choice of a commissioner of the navy, a naval officer for the district of York river, and an adjutant general,

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be a commissioner of the navy in the room of Thomas Newton, Esq.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House went with the same one each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Carter, Fitzhugh, Bullitt, Braxton and Griffin; and they are to withdraw immediately.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

Mr. Carter reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Warner Lewis, jun. Esq.	78
Goodrich Boush, Esq.	28

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed a naval officer for the district of York river in the room of Jaquelin Ambler, Esq.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Carter, Fitzhugh, Bullitt, Braxton and Griffin; and they are to withdraw immediately.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

Mr. Carter reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Abraham Archer, Esq.	73
William Goosley, Esq.	25
Matthew Hope, Esq.	14

*Resolved*, That the said Warner Lewis, jun. Esq. be appointed a commissioner of the navy in the room of Thomas Newton, Esq.; and the said Abraham Archer a naval officer for the district of York river in the room of Jaquelin Ambler, Esq.; they having been respectively chosen to those offices by the joint ballot of both Houses.

*Ordered*, That Mr. Carter do carry the said resolution to the Senate, and desire their concurrence.

Mr. Lee reported, from the committee of Public Claims, to whom the petitions of several persons were referred, that the committee had examined the matter of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved, as the opinion of this committee*, That the petition of Charles Harris, a soldier in Capt. Moffett's company, who received a wound in his left arm when engaged with the Shawanese, and was allowed for his immediate relief the sum of 17*l.* 10*s.* by the commissioners, is reasonable, and that the petitioner ought to be allowed the farther sum of 7*l.* 10*s.*

*Resolved, as the opinion of this committee*, That the petition of John McKenny, a soldier who was wounded in the battle at Point Pleasant, in the year 1774, and on a representation of his case to the commissioners was allowed 20*l.* for his immediate relief, 10*l.* for expenses, and also 10*l.* per annum during life, and now praying that his annuity may be augmented, is reasonable, and that the petitioner ought to be allowed the farther sum of 5*l.* per annum for the term of three years.

*Resolved, as the opinion of this committee*, That the petition of James Woodie, praying an allowance for his services in hiring wagons and superintending the removal of a number of the inhabitants of the counties of Norfolk and Princess Anne to the interior parts of the country, in which service the petitioner was engaged 88 days, during which period he furnished a horse and expended his own money; also, for having removed the implements of the ropery formerly established in Norfolk to the county of Chesterfield, is reasonable; and that the petitioner ought to be allowed the sum of 8*s.* per day, whilst engaged in removing the inhabitants of Norfolk and Princess Anne, and also the sum of 5*s.* per day for removing the implements of the ropery, in which he was employed 54 days, amounting in the whole to the sum of 48*l.* 14*s.*

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.

*Resolved*, That so much of the order for the House to proceed, by joint ballot with the Senate, to the choice of a commissioner of the navy, a naval officer for the district of York river, and an adjutant general, as relates to the adjutant general, be discharged.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A petition of Hansford Rowe was presented to the House, and read; setting forth, that his negro man slave named Lewis, who had escaped to Lord Dunmore, was taken at the Great Bridge some time in the month of December, 1775, by our troops and sent to the city of Williamsburg, and confined in the public jail; that being informed thereof, he applied to the committee of Safety to get him released, but was informed he must be detained where he was till he could be sent out of the country; that some time after, the said slave died in the said jail, and praying to be allowed such satisfaction as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Ellis, agent for William Lee, Esq. of London, was presented to the House, and read; setting forth, that several valuable buildings and improvements belonging to the said Lee in the city of Williamsburg have been occupied by the soldiers as barracks and hospitals, by which they have been damaged to the amount of more than 500*l.* as will appear by an estimate made by several honest workmen, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the House be called over on Thursday next.

*Resolved*, That this House will on Thursday next proceed, by joint ballot with the Senate, to the choice of a Governor or Chief Magistrate.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.



*Resolved*, That this House will on Thursday next proceed, by joint ballot with the Senate, to the choice of eight members of the Privy Council, or Council of State.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

*Resolved*, That this House will on Thursday next proceed, by joint ballot with the Senate, to the choice of a Muster Master General.

*Ordered*, That Mr. Bowyer do acquaint the Senate therewith.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have agreed to the resolution of this House for the appointment of Delegates to General Congress, and also the Senate have agreed to so much of the order for proceeding by joint ballot to the choice of a commissioner of the navy, a naval officer for the district of York river, and an adjutant general, as relates to the adjutant general, be discharged; and then he withdrew.

A bill "for dissolving the vestry of the parish of Newport, in the county of Isle of Wight," was read a second time.

*Resolved*, That the bill be committed to Messrs. Wills, Fulgham, Kello, Montague, Daniel, Todd and Coleman.

*Ordered*, That leave be given to bring in a bill "for establishing a public insurance office in this Commonwealth;" and that Messrs. Braxton, Thomas Hite of Berkeley, Jett, Banister, Nicholas, King, Savage, Adams, Cocke, Thornton, Webb, Henry and Pickett, do prepare and bring in the same.

*Ordered*, That Messrs. Callaway, Clapham, Parsous, and Arbuckle, be added to the committee of Public Claims.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill "to prevent forestalling."

*Ordered*, That the report of the commissioners appointed by the States of New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia, for regulating the price of labor, manufactures, and internal produce, and of foreign goods imported, which, among other papers, were laid before the House by the Governor, and referred to the committee of the whole House upon the state of the Commonwealth, be referred to the said committee.

Then the House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House when the House should be pleased to receive the same.

*Ordered*, That the bill be recommitted to the same committee.

*Resolved*, That this House will on Monday next resolve itself into a committee of the whole House, to consider farther of the said bill.

*Ordered*, That all petitions intended to be presented to this House, for claims against the public, be referred to the committee of Public Claims, and delivered of course to the clerk thereof.

The other orders of the day being read,

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to consider of the bill "to repeal so much of an act, entitled, 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

*Ordered*, That the Speaker be desired to issue his warrant for the election of a delegate for the county of Warwick, in the room of Cole Digges, Esq. deceased.

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, May 24, 1777.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth,

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had made a farther progress in the matters to them referred, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will on Monday next resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

The Speaker laid before the House a letter from the Governor, inclosing the treaty lately concluded with the Cherokee Indians.

And the said letter was read.

*Ordered*, That the said letter and treaty do lie on the table.

*Ordered*, That the Governor and Council be desired to lay before the House a state of our trade, together with the supplies of arms, ammunition, clothing, blankets, and provisions, for the army, which are now on hand.

*Ordered*, That the commissioners of the navy be directed to lay before this House a state of the navy, and how they have been and now are employed, and state an account of the expenses.

A memorial of Charles Lynch was presented to the House, and read; setting forth, that in May, 1776, this House ordered the negroes then in the public jail to be delivered to him for the purpose of making saltpetre, and that he should receive any sum of money out of the public treasury not exceeding 500*l.* which, together with a reasonable hire of the negroes, he was to pay in gunpowder at 6*s.* per pound; that he now hath a sufficient quantity of saltpetre, which will soon be manufactured into gunpowder, and is desirous to know what the hire of the negroes is to be, and also what farther quantity will be taken of him, as he can get it ready; and praying the same may be taken into consideration.

*Ordered*, That the said memorial be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the counties of Botetourt, Washington, and Montgomery, whose names are therein subscribed, was presented to the House, and read; setting forth, that, impressed with a sense of the hardships that had and would result to the petitioners, and others, from grants of large tracts of land to private companies of gentlemen, they petitioned the last Assembly for redress, which petition, for reasons no doubt weighty enough, could not then be fully attended to; that it is many years since most of them entered upon the lands they hold, which they have since cultivated with great labor and expense, often at the peril of their lives from savages, in consequence of which they hoped they had obtained a just and equitable title to their possessions, without being obliged to contribute large sums of money for the separate enolument of individuals, whose mercenary views are incompatible with the real good of the community; that the proceedings of the agents to the company, who obtained the first grant of land on the southwestern frontiers, will serve to prove that their apprehensions and complaints are not groundless; that the company's original grant was only for 100,000 acres of land on the waters of the rivers James, Roanoke, and Mississippi, which was to be sold out, at a moderate price, for the encouragement and speedy settlement of the back country, but that the agents and their successors, instead of adhering to their first proposals, have demanded, and actually received, enormous prices, and have, by various unfair practices, either sold, located, or claimed, near double their first grant, to the great injury of the petitioners, and of the public in general; that these proceedings have the most injurious tendency in the back country; and praying these several matters may be fully inquired into, and themselves confirmed by an act of the legislature in the title and possession of their lands, and thereby placed on an equal footing with other freeholders.

*Ordered*, That the said petition be referred to the committee of the whole House upon the state of the Commonwealth.

The other order of the day being read,

*Resolved*, That this House will on Monday next resolve itself into a committee of the whole House, to consider of the bill "to repeal so much of an act, entitled, 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

And then the House adjourned till Monday morning, 10 o'clock.

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### MONDAY, May 26, 1777.

Several other members having taken the oath appointed by law, took their seats in the House.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had made a farther progress in the matters to them referred, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

Mr. Lee reported, from the committee of Public Claims, that the committee had had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee*, That the petition of Jonathan Lambert and Christopher Baker, praying to be allowed for their services as soldiers in Capt. Lowther's company of militia, their names being omitted in the pay roll, is reasonable, and that the said Jonathan Lambert ought to be allowed the sum of 1*l.* 5*s.* 6*d.* the amount of his pay, for 17 days, and the said Christopher Baker the sum of 9*l.* 18*s.* for 132 days.



*Resolved, as the opinion of this committee,* That the petition of Levi Shinn, praying to be allowed 15*l.* the appraised value of a horse which was impressed in the year 1774 by Capt. William Lowther, for the purpose of transporting ammunition for the use of the militia, and was killed by the Indians, be rejected for want of sufficient proof.

*Resolved, as the opinion of this committee,* That so much of a petition as relates to Charles Hay, William Johnson, Robert Horsley, Merritt Magann, John Woodroof, John Brown, Edmund Pendleton and Pearce Wade, soldiers in the minute service of this State, praying to be reimbursed the expenses of a physician and medicines, which they incurred by being taken sick while on duty, in consequence whereof they were ordered home by their commanding officer for the recovery of their health, is reasonable, and that there ought to be paid to Charles Hay 2*l.* 0*s.* 9*d.*, William Johnson 1*l.* 0*s.* 6*d.*, Robert Horsley 8*s.* 9*d.*, Merritt Magann 1*l.* 12*s.* 6*d.*, John Woodroof 1*l.* 17*s.* 4*d.*, John Brown 1*l.* 0*s.* 6*d.*, Edmund Pendleton 1*l.* 0*s.* 6*d.*, and Pearce Wade 1*l.* 15*s.* 9*d.*

*Resolved, as the opinion of this committee,* That such other part of the said petition as relates to Mitchell Floyd, Thomas Smith, Thomas Shelden, George Welt and John Guttery, soldiers in the continental service, be rejected.

*Resolved, as the opinion of this committee,* That the petition of Hamner Fear, a soldier in the continental service, who received a wound in the heel of his left foot, from the guard who fired at the petitioner as he was going with the corporal to relieve him, and has in consequence thereof been discharged by Gen. Lewis as unfit for duty, and by means of the said wound is rendered incapable of getting support by labor, is reasonable, and that the petitioner ought to be allowed the sum of 20*l.* for his present relief.

*Resolved, as the opinion of this committee,* That so much of the petition of George Hickman as relates to diets furnished the soldiers raised in the county of Accomack before a commissary was appointed, and the prisoners of war, taken on the coast and lodged on the Eastern Shore in the year 1775, is reasonable, and that the petitioner ought to be allowed 6*d.* per diet for each, amounting in the whole to the sum of 7*l.* 9*s.*

*Resolved, as the opinion of this committee,* That such other part of the said petition as relates to the charge for lodging the said soldiers, be rejected.

*Resolved, as the opinion of this committee,* That the petition of Thomas Lewis, a soldier of the militia in Princess Anne county, who being called on duty by his commanding officer, and on his way to Portsmouth (the place of rendezvous) received a blow from a horse which broke one of his legs, and praying that the expenses of a surgeon, and his board, amounting to 14*l.* 19*s.* may be paid by the public, be rejected.

The 1st, 3d, 4th, 5th, 6th and 7th resolutions of the committee being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 2d and 8th resolutions of the committee being read a second time, and the question being put, that the said resolutions be recommitted to the same committee,

It was resolved in the affirmative.

*Ordered,* That Mr. Lee do carry the 1st, 3d, 5th and 6th resolutions to the Senate, and desire their concurrence.

*Ordered,* That leave be given to bring in a bill, "to amend an act entitled, 'an act for preventing excessive and deceitful gaming;'" and that Messrs. Henry and Anderson do prepare and bring in the same.

*Ordered,* That leave be given to bring in a bill, "to prevent houses and other private property from being taken for the use of the soldiery, and to oblige the quartermasters to provide tents or barracks for such officers and soldiers as shall be thought necessary for any particular station;" and that Messrs. Nelson and Prentis do prepare and bring in the same.

*Resolved,* That the Governor be desired to proceed, with the advice of the Council of State, to a confirmation of the treaty with the Cherokee Indians, in such manner as they may judge proper; and that it be submitted to their discretion to furnish them with such presents, and advance such a sum of money, as may be most likely to secure the friendship of those Indians to this and the other States.

*Ordered,* That Mr. Nicholas do carry the said resolution to the Senate, and desire their concurrence.

*Ordered,* That leave be given to bring in a bill, "to repeal an act entitled, 'an act to regulate the inoculation of the smallpox within this colony;'" and that Messrs. Bullitt and Lee do prepare and bring in the same.

Mr. Wills reported, from the committee to whom the bill "for dissolving the parish of Newport, in the county of Isle of Wight," was committed, that the committee had gone through the bill, and made an amendment thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendment in at the clerk's table, where the amendment was twice read, and, upon the question put thereupon, agreed to by the House.

*Ordered,* that the bill, with the amendments, be engrossed.

A petition of William Smith and Henry Bressie was presented to the House, and read; setting forth, that they have sustained very considerable damages from the depredations of the British troops, and praying such relief as shall be thought just and reasonable.

And the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

Several petitions of the freeholders and other inhabitants of the county of Montgomery, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that they are exposed to great inconveniences from the line of the said county, as settled by a late act of General Assembly, and praying the same may be altered; and also several other petitions in opposition thereto.



*Ordered*, that the said petitions be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The other orders of the day being read,

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to consider farther of the bill "to prevent forestalling."

*Resolved*, That this House will to-morrow, resolve itself into a committee of the whole House on the bill "to repeal so much of an act, entitled 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, May 27, 1777.

A petition of Constantine Riddick was presented to the House, and read; setting forth, that some time in September, 1775, being on a trading voyage from Norfolk to Hampton with merchandise, he was taken by Captain Squires, then under the command of Lord Dunmore, and deprived of his vessel and cargo; and praying his case may be taken into consideration, and such relief granted him as shall be thought just and reasonable.

And the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

A petition of Charles Harrison, of the Virginia regiment of continental artillery, was presented to the House, and read; setting forth, that he has lately received orders from General Washington, to have his regiment immediately inoculated for the smallpox, and praying that permission may be granted him for that purpose.

*Ordered*, That the said petition do lie upon the table.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, desiring the Governor, with the advice of the Council of State, to confirm the treaty with the Cherokee Indians, and to furnish them with such presents and money as may be most likely to secure the friendship of those Indians; and then he withdrew.

Mr. Acrill reported, from the committee to whom the memorials of the marine and minute officers were recommended; that the committee had had under their farther consideration the said memorials, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, as the opinion of this committee, That the subject matter of the said memorials ought to be referred to the Governor and Council.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

A petition of Robert Langley was presented to the House, and read; setting forth, that Lewis, a negro man slave, the property of the petitioner, being in lord Dunmore's service, was, about the month of December, 1775, taken at Norfolk, and sent up by the commanding officer to Williamsburg, and from thence to the lead mines, where he is now employed; and praying the said slave, with his hire, may be returned.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of William Keeling, John Hancock, Mary Jones, John Henley, and William Keeling, jun. was presented to the House, and read; setting forth, that Luke, a negro man slave, the property of the petitioner William Keeling; Cæsar, the property of the petitioner John Hancock; Tom and Roger, the property of the petitioner Mary Jones; Frank, the property of the petitioner John Henley; and Peter, the property of the petitioner William Keeling, jun. were, about the month of December 1775, taken by our troops in the service of Lord Dunmore; that the said slaves were sent to Williamsburg, and from thence conveyed to the lead mines, where they are now employed; and praying that the said slaves, together with a reasonable hire, may be returned to them.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day being read, for the House to resolve itself into a committee of the whole House to take into their farther consideration the state of the Commonwealth,

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had made a farther progress in the matters to them referred, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House to take into their farther consideration the state of the Commonwealth.

The Speaker laid before the House a letter from the Governor, informing him the Council Board were under great difficulty in carrying into execution the resolution of the last Assembly for removing out of the country certain

natives of Great Britain therein described; the ship Albion, in which they were to have departed, having fallen into the enemy's hands, and it being impracticable to send them out in any vessel belonging to this State, and desiring such farther instructions on that subject as the House shall be inclined to give.

*Ordered*, That the said letter do lie upon the table.

Several petitions of the inhabitants of the counties of Westmoreland and King George were presented to the House, and read; praying, that part of the said county of Westmoreland may be added to the county of King George, and part of the said county of King George to Westmoreland, by which the said counties will become more convenient to the inhabitants thereof.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; and that they do examine the matters thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill "to discourage desertion, and to punish persons harboring or entertaining deserters;" and that Messrs. Jones and Henry, do prepare and bring in the same.

The other orders of the day being read,

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to consider the bill "for farther suspending the payment of the salaries heretofore given to the clergy of the church of England."

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House to consider farther of the bill "to prevent forestalling."

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, on the bill "to repeal so much of an act entitled 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, May 28, 1777.

A memorial of the Rector, Visitors and Governors of the College of William and Mary, was presented to the House, and read; setting forth, that they should be unworthy the guardianship of learning were they not to represent the ruinous state of the College funds; that they are the more emboldened to make such representation to the General Assembly, as it affords an occasion truly glorious to the deputies of a free people of restoring literature to its fullest vigor.

That when they recur to the code of laws, and read the patronage of the legislature, so frequently and warmly proclaimed, they trust the liberality of the Assembly will be still extended to the necessities of the College; that in the 4th year of Anne, an act is found "laying an imposition upon skins and furs, for the better support of the College of William and Mary, in Virginia." That in the 18th of George II. the duty of 3*d.* upon every exported raw, and 6*d.* upon every exported tanned hide, imposed by that act, is increased to 2*s.* 6*d.* upon the former, and 5*s.* upon the latter; that in the 8th of George II. provision is made for the improvement of the revenues arising from skins and furs, and the duty of 1*d.* for every gallon of rum, brandy, and other distilled spirits, and of wine, is appropriated to the use of the College, for the remainder of the term to which its existence had been limited; that subsequent acts have continued this last mentioned duty ever since, nor will it expire till the year 1780; that in the 32d of George II. the collection of the duty upon skins and furs is guarded by various wise regulations; that in the 1st of George III. the payment of the fees upon pedlars licenses is secured; in the 3d of George III. the several acts of Assembly for licensing pedlars, and preventing frauds in the duties upon skins and furs, are amended.

That the language of these acts obviously declares, that the College hath been an object of legislative favor from its earliest days.

That in the increase of the duty on hides, and the appropriation of that on liquors, they have a precedent countenancing this address. These benevolences having been granted upon a deficiency of the funds, they are taught to believe that in a like case a like remedy will not be withheld. The zeal too, caution, and penalties, with which these duties have been insured, naturally lead them to the General Assembly, as their resource in this hour of difficulty.

That from the foundation of the College, to this time, science hath been attainable at the easiest price. That the expenses of education have never injured the most scanty fortune; and open to every class of men would letters still remain, had the calamities of war left the College revenues unimpaired.

That, by a review of its income and disbursements for ten years past, the former will appear to amount in average to 3048*l.* 12*s.* 7*d.* the latter to 2846*l.* 16*s.* 6*d.* per annum, making the annual addition of 210*l.* 17*s.* 1*d.* to the stock, but that the late decrease of 2335*l.* 18*s.* 7*d.* occasioned by the suspension of the duties upon skins, furs, liquors and tobacco, reduces the revenue to 712*l.* 14*s.* per annum. That instead of a proportionable decrease taking place in the necessary expenses of the College, the exorbitant prices now prevailing have had a contrary effect, so that the last mentioned sum of 712*l.* 14*s.* is the only fund for satisfying the former annual disbursements of 2846*l.* 16*s.* 6*d.* now perhaps doubled.

That the expenditure of the above balance of 210*l.* 16*s.* 1*d.* in favor of the College, as it may have accumulated from its commencement to the time of the cessation of these duties, being examined, it will appear that great



part of it hath been lately consumed, and still continues to be consumed, in contingent charges; though it must be observed, that this accumulated balance is somewhat imaginary, as it is calculated upon the supposition of a regular discharge of interest accruing upon the bonds, of which the instances are few.

That to supply those deficiencies, they have the alternative of raising the board of the students and scholars, or betaking themselves to voluntary contribution; that they would willingly avoid the former measure, as it would eventually preclude all such as are not born to wealthy inheritances from the advantages of the College.

That it would also thwart the design of the founders, whose object it was to open the door of knowledge to all persons willing to enter. That they intend, however, to raise the board so far as to make it, when raised, equal to the value of the 13*l*. formerly paid.

Nor is voluntary contribution free from objection, being in this instance indecent and impracticable. Indecent, because it wears the appearance of renouncing the protection of the Legislature, though uniformly given hitherto; and impracticable, by reason of the sum which the present exigence requires.

That had these necessities arisen from misapplications of the revenue, they would not have now intruded upon the Assembly; but they know them to proceed from a different cause.

That the same hand which arrested the American trade has stabbed the College funds.

That so long as the sword of despotism is unsheathed against America it may be embarrassing to desire a mode for supplying the wants of the College, but that they are persuaded an Assembly selected to promote the general welfare need not be instructed that the concealed and varying attacks of tyranny are not easily detected by men unaccustomed to reflection, and unprepared by study; that this Commonwealth hath therefore the strongest inducements to multiply the avenues to science, at almost any price, and praying the premises may be taken into consideration, and such a fund established for the support of the College as to the wisdom and munificence of the General Assembly may seem meet.

*Ordered*, That the said memorial be referred to the committee of the whole House.

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, upon the said memorial.

*Ordered*, That leave be given to bring in a bill "to establish a mode for the speedy and summary recovery of such sums of money as are or may become due to the public, and for enforcing all contracts entered into with government;" and that Messrs. Bullitt and Braxton, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "for establishing a loan office for the purpose of borrowing money for the use of the United States, and appointing a commissioner to superintend the same;" and that Messrs. Bullitt, Lee, Nicholas, Braxton and Jones, do prepare and bring in the same.

A message from the Senate by Mr. Gray:

MR. SPEAKER,—The Senate have agreed to the several resolutions of this House for allowing to Jonathan Lambart 1*l*. 5*s*. 6*d*., Christopher Baker 9*l*. 18*s*., Charles Hay 2*l*. 0*s*. 9*d*., William Johnson 1*l*. 0*s*. 6*d*., Robert Horsley 8*s*. 9*d*., Merritt Magann 1*l*. 12*s*. 6*d*., John Woodroof 1*l*. 17*s*. 4*d*., John Brown 1*l*. 0*s*. 6*d*., Edmund Pendleton 1*l*. 0*s*. 6*d*., Peirce Wade 1*l*. 15*s*. 9*d*., Hammer Fear 20*l*., George Hickman 7*l*. 9*s*., Charles Harris 7*l*. 10*s*., James Wooddie 48*l*. 14*s*., and to John McKenny an additional annuity of 15*l*. for three years. And then he withdrew.

*Resolved*, That the Governor and Council of State be empowered to appoint an assistant clerk to their board, and that he be allowed the same salary as the one already in office.

*Ordered*, That Mr. Bullitt do carry the said resolution to the Senate and desire their concurrence.

*Resolved*, That this House will to-morrow proceed, by joint ballot with the Senate, to the choice of an attorney general.

*Ordered*, That Mr. Bullitt do acquaint the Senate therewith.

*Resolved*, That the Governor be desired, with advice of the Privy Council, to suffer the persons who had agreed to take their passage to Great Britain in the ship Albion, now in the hands of the enemy, to go on board the said ship, carrying with them their necessary provisions and stores, under the inspection of proper persons, and proceed on their voyage.

*Ordered*, That Mr. Braxton do carry the said resolution to the Senate, and desire their concurrence.

The order of the day being read, that the House resolve itself into a committee of the whole House, upon the state of the Commonwealth,

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had made a farther progress in the matters to them referred, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

The order of the day being read, that the House resolve itself into a committee of the whole House, to consider the bill "for farther suspending the payment of the salaries heretofore given to the clergy of the church of England."

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.



Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had directed him to report the bill to the House, without any amendment. And he delivered the bill in at the clerk's table.

*Ordered*, That the bill be engrossed.

*Ordered*, That Mr. Savage have leave to be absent from the service of this House for the remainder of the session.

A petition of Elizabeth Newell, was presented to the House, and read; setting forth, that her late husband, Samuel Newell, deceased, entered in the service of the country, and continued therein till the time of his death, which happened not long since, and was occasioned by his being sent to the Indians with letters; that he was scalped and tomahawked by five of the Dragging Canoe's party near the town of Chote, in which he died a few days afterwards; that she has lately been informed there are debts against the estate of her said husband, sufficient to take away every thing he left, by which she will be reduced, with three helpless infants, to the greatest distress, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of James Newell, administrator of the goods and chattels of Samuel Newell, deceased, was presented to the House, and read; setting forth, that the said Samuel Newell was sent with despatches from the frontiers of Virginia, by Col. William Christian, to the Indians, in the month of January last, and was on his way scalped and tomahawked by them, in consequence of which he died in a few days after; that he had with him a horse, a rifle gun, saddle and bridle, saddle bags and clothes, to the value of 43*l*. 15*s*. which the murderers carried off, and praying such allowance to the estate of the said Samuel Newell, deceased, as shall be thought just and reasonable.

*Ordered*, That the petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Hampshire, was presented to the House, and read; setting forth, that they live in a thick settled part of the country, on a body of exceeding fine land, and are at a great loss for want of proper tradesmen, with whom they conceive they should be supplied if a town was established by act of Assembly in the said county, and praying that an Act may pass for that purpose.

*Ordered*, That leave be given to bring in a bill pursuant to the prayer of the said petition, and that Messrs. Abraham Hite and Neaville do prepare and bring in the same.

Mr. Jones presented to the House, according to order, a bill "to discourage desertion, and to punish persons for harboring or entertaining deserters;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

The House proceeded to nominate persons to be ballotted for as a Governor or Chief Magistrate, eight members of the Privy Council or Council of State, an Attorney-General, and a Muster-Master General.

And several persons were nominated accordingly.

*Ordered*, That Mr. Lee do carry a list of the persons so nominated to the Senate.

The other orders of the day being read,

*Resolved*, That this House will to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will to-morrow, resolve itself into a committee of the whole House, upon the bill "to prevent forestalling."

*Resolved*, That this House will to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to repeal so much of the act, entitled, 'an act, to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

And then the House adjourned till to-morrow morning, 10 o'clock."

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THURSDAY, May 29, 1777.

A message from the Senate by Mr. Lewis :

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for regulating and disciplining the militia," with amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

An address of sundry inhabitants of the county of Mecklenburg, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that, conscious nothing in this critical situation of public affairs, when liberty, life, and all, are at stake, should engross much of the time of the legislature, except matters of indispensable obligation, they therefore only beg its attention for a few moments. That the undue means taken to overthrow the established church, by imposing upon the credulity of the vulgar, and engaging infants to sign petitions handed about by dissenters, have, it seems, so far succeeded as to cause a dissolution of her usual mode of support, where they would choose it should rest, in the present exigency of affairs, rather than, by strenuously insisting upon the rectitude of an establishment, throw this State in particular into commotion, and thereby prejudice the common cause, which they are resolved shall receive no detriment from them by any means whatsoever. That if only withholding from a

competent number of ministers of the gospel fixed salaries, is the most likely means to make men unanimous in the defence of liberty, as hath been urged, they should be sorry indeed if there could be one of that reverend order who would repine at the success of the measure; for that even an unwillingness to sacrifice a part of our property to the good of our country, much more an absolute refusal of it, is a poor argument indeed of our disinterested zeal for the Commonwealth. Wherefore, they should by no means wish to see churchmen adopt the principles of dissenters, withhold their concurrence in the common cause until their particular requests are granted; for by such a conduct all may be lost. That, notwithstanding, they think an established church in any State, under proper limitations and restrictions, and founded on the warranty of Holy Scripture, is one of the great bulwarks of liberty, the cement of society, the bond of union, and an asylum for the persecuted to fly to; yet, as this is a controverted point, they are heartily willing it should be debated at a time when there may be nothing of more importance to engage the attention of the Assembly.

*Ordered*, That the said address be referred to the committee for Religion; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate will proceed, by joint ballot with the House of Delegates, to the choice of a Governor or Chief Magistrate, eight members of the Privy Council, or Council of State, and of a Muster Master General; and they have directed me to lay before this House a list of the persons who have been nominated by them for the office of Counsellors. And then he withdrew.

A petition of sundry freeholders of the county of Fairfax, was presented to the House, and read; setting forth, that the election of delegates for the said county, on the 21st day of April last, was held at the town of Alexandria, where they could not attend, as the smallpox then raged in the said town, without the greatest risk to themselves and their families, by which means, the election was held by only fifty or sixty votes, when there are more than three hundred in the said county; and praying the said election may be set aside, and a new one directed, near the centre of the county.

*Ordered*, That the said petition be referred to the committee of Privileges and Elections; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Bullitt presented to the House, according to order, a bill "for establishing a General Court and Court of Assize;" and the same was received.

A motion was made, that the bill be read the first time on the twentieth day of August next.

An amendment was proposed to be made to the motion, by leaving out the words *twentieth day of August*, and inserting *Monday* instead thereof.

And the question being put, that the words *twentieth day of August* stand part of the motion,

It passed in the negative.

And the question being put, that the word *Monday* be inserted instead thereof,

It was resolved in the affirmative.

*Ordered*, That the bill be read the first time on *Monday* next.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolution of this House permitting sundry natives of Great Britain to go on board the ship *Albion*, in order to take their departure from this State.

And also, the Senate will proceed, by joint ballot, this day, with the House of Delegates, to the choice of an Attorney General; but as only one person is nominated for that office, and for the office of Governor or Chief Magistrate, the Senate propose continuing Patrick Henry, Esq. and Edmund Randolph, Esq. in their respective offices, without ballot. And then he withdrew.

The House taking the said message into consideration,

*Resolved*, That the said Patrick Henry, Esq. be appointed Governor or Chief Magistrate of this Commonwealth for one year from the end of the present session of Assembly.

*Ordered*, That Mr. Bullitt do carry the said resolution to the Senate, and desire their concurrence. *20th. 46.*

*Resolved*, That the said Edmund Randolph, Esq. be appointed Attorney General of this Commonwealth. *20th. 46.*

*Ordered*, That Mr. Bullitt do carry the said resolution to the Senate, and desire their concurrence. *20th. 46.*

*Resolved*, That each meeting of the General Assembly, in which any act passes the legislature, doth constitute a session, and that no adjournment doth finish a session, unless such adjournment be for more than ten days.

*Ordered*, That Mr. Jones do carry the said resolution to the Senate, and desire their concurrence.

*Ordered*, That the Privy Council be desired to lay their proceedings before the General Assembly so soon as it can be conveniently done.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to take into consideration the petition of the mayor, aldermen, common councilmen, and other inhabitants of the borough of Norfolk, which was presented to the House of Delegates at the last session of Assembly.

*Resolved*, That this House will on Tuesday next, resolve itself into the said committee.

The other orders of the day being read,

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to consider farther of the bill "to prevent forestalling."

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, on the bill "to

repeal so much of an act entitled, 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

The order of the day being read, for the House to proceed, by joint ballot, with the Senate, to the choice of eight members of the Privy Council, or Council of State,

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed one of the members of the Privy Council, or Council of State.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and, jointly with them, to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed of Messrs. Lee, Bowyer, Jones, Bullitt, Harvie and Nelson; and they are to withdraw immediately.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth :

For John Page, Esq.	118
Dudley Digges, Esq.	4
Thomas Nelson, jun. Esq.	1

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed another of the members of the Privy Council, or Council of State.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and, jointly with them, to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Lee, Bowyer, Jones, Bullitt, Harvie and Nelson; and they are to withdraw immediately.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth :

For Dudley Digges, Esq.	106	Thomas Nelson, jun. Esq.	3
John Blair, Esq.	4	Mann Page, jun. Esq.	1

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed another of the members of the Privy Council, or Council of State.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and, jointly with them, to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Lee, Bowyer, Jones, Bullitt, Harvie and Nelson; and they are to withdraw immediately.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

Mr. Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth :

For John Blair, Esq.	110	Bartholomew Dandridge, Esq.	1
Thomas Nelson, jun. Esq.	1	Bolling Starke, Esq.	1
Mann Page, jun. Esq.	1		



*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed another of the members of the Privy Council, or Council of State.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and, jointly with them, to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Lee, Bowyer, Jones, Bullitt, Harvie and Nelson; and they are to withdraw immediately.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Bartholomew Dandridge, Esq.	92	For Lewis Burwell, Esq.	3
Thomas Nelson, jun. Esq.	15	Meriwether Smith, Esq.	2
Nathaniel Harrison, Esq.	9	Mann Page, Esq.	1
Thomas Walker, Esq.	6	Thomas Adams, Esq.	1

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed another of the members of the Privy Council, or Council of State.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and, jointly with them, to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Lee, Bowyer, Jones, Bullitt, Harvie, Nelson and Carter; and they are to withdraw immediately.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Thomas Walker, Esq.	70	For Meriwether Smith, Esq.	11
Nathaniel Harrison, Esq.	27	Thomas Nelson, jun. Esq.	8

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed another of the members of the Privy Council, or Council of State.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and, jointly with them, to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Lee, Bowyer, Jones, Bullitt, Harvie, Nelson and Carter; and they are to withdraw immediately.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Nathaniel Harrison, Esq.	78	For Thomas Nelson, jun. Esq.	10
Corbin Griffin, Esq.	20	Mann Page, jun. Esq.	1
Meriwether Smith, Esq.	12		

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed another of the members of the Privy Council, or Council of State.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them, to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Lee, Bowyer, Jones, Bullitt, Harvie, Nelson and Carter; and they are to withdraw immediately.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Meriwether Smith, Esq.	46	For Lewis Burwell, Esq.	7
Thomas Nelson, jun. Esq.	21	Bolling Starke, Esq.	4
Corbin Griffin, Esq.	20	Thomas Adams, Esq.	1
David Jameson, Esq.	16		

And it appearing, from the report of the committee, that neither of the persons therein mentioned hath a majority of both Houses, the House proceeded to ballot between the said Meriwether Smith and Thomas Nelson, jun. Esquires, they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and, jointly with them, to examine the tickets; and that they do report the numbers for the said Meriwether Smith and Thomas Nelson, jun. Esquires, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Lee, Bowyer, Jones, Bullitt, Harvie and Nelson; and they are to withdraw immediately.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Thomas Nelson, jun. Esq.	70
Meriwether Smith, Esq.	49

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed another of the members of the Privy Council, or Council of State.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and, jointly with them, to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Lee, Bowyer, Jones, Bullitt, Harvie, Nelson and Carter; and they are to withdraw immediately.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers of the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For David Jameson, Esq.	61	For Mann Page, jun. Esq.	5
Corbin Griffin, Esq.	29	Thomas Adams, Esq.	1
Bolling Starke, Esq.	8	Lewis Burwell, Esq.	1
Meriwether Smith, Esq.	7		

*Resolved*, That the said John Page, Dudley Digges, John Blair, Bartholomew Dandridge, Thomas Walker, Nathaniel Harrison, Thomas Nelson, jun. and David Jameson, Esquires, be appointed members of the Privy Council, or Council of State, they having been severally chosen for that purpose by the joint ballot of both Houses.

*Ordered*, That Mr. Bullitt do carry the said resolution to the Senate, and desire their concurrence. *22.1.77.*

The order of the day being read, for the House to proceed, by joint ballot, with the Senate, to the choice of a Muster Master General,

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed Muster Master General.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and, jointly with them, to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Lee, Bowyer, Jones, Bullitt, Harvie, Nelson and Carter; and they are to withdraw immediately.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Thomas Russell,	56	For Gabriel Maupin,	14
Adam Craig,	53	Peter Pelham, jun.	1

And it appearing, from the report of the committee, that neither of the persons therein mentioned hath a majority of both Houses, the House proceeded to ballot between the said Thomas Russell and Adam Craig, they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and, jointly with them, to examine the tickets; and that they do report the numbers for the said Thomas Russell and Adam Craig, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Lee, Bowyer, Jones, Bullitt, Harvie, Nelson and Carter; and they are to withdraw immediately.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Adam Craig,	61
Thomas Russell,	59

*Resolved*, That the said Adam Craig be appointed Muster Master General of this Commonwealth, he having been chosen to that office by joint ballot of both Houses of Assembly.

*Ordered*, That Mr. Bowyer do carry the said resolution to the Senate, and desire their concurrence. *22.1.77.*

And then the House adjourned till to-morrow morning, 10 o'clock.

FRIDAY, May 30, 1777.

*Resolved*, That Richard Kello, Esq. be added to the commissioners appointed at the last Assembly to take depositions in the city of Williamsburg relating to the claim of Richard Henderson and Company, depending before the General Assembly.

The Speaker laid before the House a letter from the delegates appointed to represent this State in General Congress, enclosing a printed copy of the journals of the said Congress, as far as the same are published.

The Speaker laid before the House a letter from the Governor, enclosing one from General Washington.

And the said letters were read.

*Ordered*, That the said letters be referred to the committee of the whole House upon the state of the Commonwealth.

A petition of Cary Wilkinson, agent and manager for John Paradise, Esq. of London, was presented to the House, and read; setting forth, that John, earl of Dunmore, during his residence in Williamsburg, became indebted



to said John Paradise in the sum of 182*l*. 2*s*. for effects received from the petitioner, and for which no satisfaction hath been received, and praying that he may be paid out of the estate of the said lord Dunmore, in this State.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Elizabeth Elliott, was presented to the House, and read; setting forth, that last Summer the minute men stationed at Kemp's warehouse made use of the same for barracks, and that the said warehouse, which was the property of the petitioner, through the negligence of the soldiery, was burnt down, and praying such compensation may be made her as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Peter Hansborough was presented to the House, and read, setting forth, that a negro man slave named Sharper, the property of the petitioner, was some time past committed to the jail of Stafford county, on suspicion of having administered poison, where he remained a very considerable time in extreme cold weather for want of a court to try him; that during such confinement he got frost-bitten and lost one of his feet, and in a little time died in consequence thereof, and praying to be allowed the value of the said slave.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Dix was presented to the House, and read; setting forth, that a public ferry hath been established from the lands of the petitioner, in the county of Pittsylvania, across Dan river, to the land of Robert Payne; that he hath lately purchased an acre of land on the south side of the said river, opposite to his ferry, which would be a more convenient landing than the present one; and praying the ferry to the land of the said Robert Payne may be discontinued, and one established to the land of the petitioner.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Sarah Roane was presented to the House, and read; setting forth, that some time in the month of June last, her negro man slave named Gilbert was taken on his way to join Lord Dunmore, and sent to the committee of Safety, and afterwards by them employed in the lead mines, where he remains at this time, and praying that the said slave, with a reasonable hire, may be returned to her.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of George Daniel, guardian of William Murray, was presented to the House, and read; setting forth, that in the month of June last a negro man slave named Juba, the property of the said William Murray, was taken on his way to lord Dunmore, and sent by the committee of Safety to the lead mines, where he is now employed; and praying the said slave may be returned, with a reasonable hire.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Philip Love, James Rowland, Thomas Rowland, Thomas Barnes, and John Armstrong, was presented to the House, and read; setting forth, that they are the remaining members of the vestry of Botetourt parish, the others having either resigned, or, by the late division of the parish, being left out of it, and that they are incapacitated by law to regulate the affairs of the parish, which have remained unsettled for three years past; that there is a considerable arrear due to the incumbent; and praying the House will take the circumstances of the said parish into consideration, and grant such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee for Religion; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of William Christian was presented to the House, and read; setting forth, that he was appointed by the Executive power of this State colonel of the first battalion of militia, and commander in chief of an expedition against the Overhill Cherokee Indians: that the troops under his command consisted of two battalions from Virginia, and one from North Carolina, which, with other armed men necessarily employed, composed an army of about 1600; that, from the importance of his appointment, and the weight of his charge, he conceives himself entitled for his services to a greater allowance than that of a colonel of a single battalion; and submitting his case to the consideration of the House, in full persuasion that they will do what is just and right.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Southy Simpson was presented to the House, and read; setting forth, that a quantity of powder and sulphur, purchased for the use of the public, amounting to sixty eight barrels and an half, was to be removed by land upwards of twenty miles, to be shipped on board a vessel and brought to Williamsburg, for which purpose he employed people and carts, and made himself liable for the charge thereof, amounting to 15*l*. 13*s*. 3*d*. besides a claim of the undertakers for their trouble in procuring carts.

That the militia in the petitioner's county being in great want of lead, he judged it necessary, for the public service, to take from several persons a quantity thereof, amounting to 267 lb. and an half, promising, at the same time, they should be paid liberally for the same, and praying such allowance may be made as shall appear just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Nelson have leave to be absent from the service of this House until Thursday next, Mr. Wilkinson until Monday se'nnight next, Mr. Lowry until Friday se'nnight next, and Messrs. Carter, Moore and Ball, for the remainder of the session.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate have agreed to the resolution appointing Warner Lewis, jun. Esq. a commissioner of the navy, in the room of Thomas Newton, Esq.; and Abraham Archer, Esq. a naval officer for the district of York river, in the room of Jaquelin Ambler, Esq. And then he withdrew.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to take into their farther consideration, the state of the Commonwealth,

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was read, and is as followeth, viz.

*Resolved*, As the opinion of this committee, that as the levies for the completion of the six additional battalions are not yet raised, and the urgency of our affairs requiring the utmost exertions towards reinforcing the army of the United States under General Washington, that one complete battalion, to be composed of the regulars in the service of this State, be forthwith ordered to head quarters in the Jerseys, and that the officers in the said corps be empowered to pay every private, leaving this State, a sum sufficient to make up what they have already received equal to the bounty allowed the continental troops.

The said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Fleming do carry the resolution to the Senate, and desire their concurrence.

Mr. Fleming also acquainted the House, that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

A petition of Thomas Collis was presented to the House, and read; setting forth, that in the month of July last, part of the militia of the county of Prince William, being stationed on his plantation to oppose any descent from the enemies ships of war, he was obliged to give them possession of his houses, and part of his furniture, as they were without every convenience for cooking their victuals; that in consequence thereof he not only lost part of his furniture, but that they destroyed his crop, then growing, to the value of 9*l.*, and praying to be allowed such compensation as should be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Munford have leave to be absent from the service of this House until Monday se'nnight.

A petition of James Taylor, was presented to the House, and read; setting forth, that in the month of May or June, 1776, the male slaves and stocks belonging to the inhabitants of the lower part of Norfolk and Princess Anne were removed by the soldiery, pursuant to the order of Convention; that in consequence thereof three slaves, the property of the petitioner, together with 19 sheep and 13 head of cattle, were carried to the Great Bridge, and the said slaves then employed on the fortifications then erecting for the defence of the country; that after the order aforesaid was reversed, he applied, by his agent and friends, to have the said slaves delivered up, which was refused; that two of the said slaves, to wit: Will and Ned, were taken sick and died while they were employed as aforesaid, and that he also lost the whole of his stock, except four head of cattle; and praying such compensation may be made him as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the freeholders and late inhabitants of the borough of Norfolk, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the town of Norfolk was laid out and built in a very irregular and inconvenient manner, which destroyed the beauty of the town, and greatly contributed to render it unhealthy; and as the same hath been totally burnt and destroyed, it is now become practicable to have it laid off in a regular plan, without any great inconvenience to the proprietors; and praying that an act may pass to lay out the town on a regular and convenient plan, and settle in what manner compensation shall be made to such persons as shall become sufferers thereby.

*Ordered*, That the said petition be referred to the consideration of a committee; and that they do examine the matter thereof, and report the same, with their opinion thereupon to the House. And it is referred to Messrs. Curl, Godfrey and Wilson.

The other orders of the day being read,

*Resolved*, That this House, will on Tuesday next, resolve itself into a committee of the whole House, to consider of the memorial of the Rector, Visitors and Governors of William and Mary College.



*Resolved*, That this House will to-morrow, resolve itself into a committee of the whole House, to consider of the repeal so much of an act, entitled 'an act, to make provision for defraying the expenses of erecting fortifications and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

*Resolved*, That this House will to-morrow, resolve itself into a committee of the whole House, to consider farther of the bill "to prevent forestalling."

And then the House adjourned till to-morrow morning, 10 o'clock.

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SATURDAY, May 31, 1777.

Mr. Lee reported, from the committee of Public Claims, that the committee had had under their consideration, several petitions to them referred, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee*, That the petition of Simon Girty, praying an allowance as an interpreter to Colonel James Wood on an embassy to the Indian towns, be rejected, it appearing to this committee that the petitioner has received a sufficient compensation for his services.

*Resolved, as the opinion of this committee*, That the petition of William M'Cue, a soldier in the continental service, who unfortunately lost his left hand by the bursting of his rifle, when quartered on Staten Island, is reasonable, and that the petitioner ought to be allowed the sum of 20*l*. for his present relief, and 10*l*. per annum during life.

*Resolved, as the opinion of this committee*, That the petition of James Smith, setting forth, that he acted as serjeant in Capt. M'Dowell's company on the expedition against the Shawanese, for which he was allowed only soldier's pay by the commissioners, and praying to be allowed the difference betwixt soldier's pay and that of a serjeant, is reasonable, and that the petitioner ought to have an additional allowance of 1*s*. per day, being the difference of pay, for 134 days, amounting to the sum of 6*l*. 14*s*.

*Resolved, as the opinion of this committee*, That the petition of Thomas Phillips, praying to be paid for a smooth bored gun impressed by John Nelson, an officer of Captain George Wale's company of militia, and lost, is reasonable, and that the petitioner ought to be allowed the sum of 2*l*. 15*s*. for the said gun.

*Resolved, as the opinion of this committee*, That the petition of John Gilmore, and John Moore, setting forth, that they served as soldiers on the expedition against the Shawanese, in the year 1774, and by mistake were not allowed full pay for the time they were in the service, and praying redress, is reasonable, and that the said John Gilmore ought to be allowed pay for twenty days, which was omitted in the roll, amounting to the sum of 1*l*. 10*s*. and the said John Moore the sum of 2*l*. 5*s*. which arises from an error of the commissioners in extending the amount of his pay.

*Resolved, as the opinion of this committee*, That the petition of John Lyle, setting forth, that he entered several horses in the country's service on the expedition against the Shawanese, one of which said horses, when returned, appeared to be much injured, and in a few days after died, and praying to be allowed the balance of the appraised value of the said horse, after deducting the hire allowed by the commissioners, be rejected.

*Resolved, as the opinion of this committee*, That the petition of James Rollin, who served as a soldier in Captain William M'Kee's company of rangers six days, and in Captain John Murry's seventeen days, and was omitted in the rolls returned to the commissioners, is reasonable, and that the petitioner ought to be allowed pay for the same, amounting to the sum of 1*l*. 14*s*. 6*d*.

*Resolved, as the opinion of this committee*, That the petition of Hamilton Usher St. George, praying to be allowed for his slave Jeffery, who was committed to the public jail by order of the committee of Safety; and after his releasement and return home, was taken sick and died, be rejected.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the 2*d*, 3*d*, 4*th*, 5*th* and 7*th* resolutions to the Senate, and desire their concurrence.

*Ordered*, That Messrs. Lockhart, Allen, Perkins, Lynch, Crockett and Montgomery, be added to the committee of Public Claims.

*Resolved*, That the commissioners appointed to take depositions in the city of Williamsburg relating to the claim of Richard Henderson and Company, depending before the General Assembly, do inquire of the Cherokee Indian chiefs, now in the said city, of the nature, extent, and circumstances, of their sale of lands to the said Richard Henderson and Company, giving the said Richard Henderson previous notice of the time and place of making such inquiry, and report to the House the result thereof.

*Ordered*, That Mr. Harvie do carry the resolution to the Senate, and desire their concurrence.

A petition of Elias Barnaby was presented to the House, and read; setting forth, that he was possessed of several servants under indenture, whose time of service he had purchased at considerable prices for the purpose of carrying on the business of a shoemaker, in which purchases he was induced to be the more liberal as persons in their station had been exempt from military enlistments; that lately, five persons, under engagement to him by indentures, have



been enlisted for the continental service by some officers who are engaged in that business, to whom he has made application for some compensation for the great loss he had sustained, but hitherto without effect; that sensible, however, that the public interest and welfare is above all others to be preferred, and determined to do nothing which might appear an interruption to the general service of America, he has patiently submitted to the loss; and praying such compensation may be made him as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolution of this House for ordering one complete battalion of the regulars in the service of this State to the Jerseys, to reinforce the army under General Washington. And then he withdrew.

A petition of sundry inhabitants of the parish of St. Anne, in the county of Essex, was presented to the House, and read; complaining of some irregular and unjust proceedings of the said vestry, and praying that the same may be dissolved.

*Ordered*, That the consideration of the said petition be referred to the next session of Assembly.

A petition of Thomas Jett was presented to the House, and read; setting forth, that he is proprietor of Bray's warehouse in the town of Leeds, and that the landing at the said warehouse is greatly injured by a gully which some time ago broke through the said town, insomuch that the tobacco to be shipped from the said warehouse cannot be got down without much difficulty and danger; and praying he may be allowed to move the said warehouse to his land adjoining the said town, which will be equally convenient to the public for inspection, and much more so for shipping of tobacco.

*Ordered*, That the committee appointed to prepare and bring in a bill "to continue and amend an act entitled 'an act for reviving several public warehouses for the inspection of tobacco, and other purposes,'" have power to receive a clause, or clauses, pursuant to the prayer of the said petition.

Mr. Henry reported, from the committee of Propositions and Grievances, to whom the memorial of the church-wardens and vestry of the parish of Bruton, in the counties of York and James City, was referred, that the committee had examined the matter of the said memorial, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee*, That the said memorial is reasonable.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That the committee of Propositions and Grievances, do prepare and bring in a bill, or bills, pursuant to the said resolution; and that it be an instruction to the said committee that they have power to receive a clause, or clauses, for extending the like relief to other parishes under the same circumstances.

*Ordered*, That the committee of Propositions and Grievances be discharged from proceeding on the memorial of the trustees of the academy of Hampden Sidney, in the county of Prince Edward, and that the said memorial be referred to a committee of the whole House.

*Resolved*, That this House will on Tuesday next, resolve itself into a committee of the whole House, on the said memorial.

*Resolved*, That this House will on Tuesday next, proceed by joint ballot with the Senate, to the choice of two colonels in the room of Philip Love and William Grayson, Esquires, who have resigned the said appointments.

*Ordered*, That Mr. Harvie do acquaint the Senate therewith.

The Speaker laid before the House a letter from the hon. John Page, Esquire; accompanying the proceedings of the Privy Council, or Council of State.

And the said letter was read.

*Ordered*, That a message be sent to the Senate to acquaint them that the Council have laid their proceedings before this House, and that Mr. Bowyer do carry the message.

The Speaker laid before the House a letter from the Governor, recommending Mr. James Hunter, who is engaged in a large manufactory of iron, to this House, for encouragement in the said work, and enclosing a memorial from the said Hunter, and other papers upon the subject thereof, which had been presented to the Council.

*Ordered*, That the said letter, memorial, and other papers, be referred to the consideration of a committee; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And a committee was appointed, of Messrs. Nicholas, Harvie, Zane, Adams, Jones, Abraham Hite, Starke, Henry, Jett, Carter and Clapham.

*Ordered*, That Mr. Winslow have leave to be absent from the service of this House for the remainder of the session.

*Ordered*, That leave be given to bring in a bill, "to prevent the forgery of certain warrants and certificates, and for other purposes;" and that Messrs. Harvie, Starke, Nicholas and Carter, do prepare and bring in the same. The order of the day being read, for the House to resolve itself into a committee of the whole House, on the bill "to prevent forestalling,"

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were read.

*Ordered*, That the said report be considered on the 30th day of August next.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolution appointing Patrick Henry, Esq, Governor or Chief Magistrate of this Commonwealth for one year from the end of the present session of Assembly. And also,

The Senate have agreed to the resolution of this House, that each meeting of the General Assembly, in which any act passes the legislature, doth constitute a session. And also,

The Senate have agreed to the resolution directing the commissioners appointed to take depositions in the city of Williamsburg relating to the claim of Richard Henderson and Company, to inquire of the Cherokee Indian chiefs, now in the said city, of the nature, extent and circumstances of their sales to the said Richard Henderson and Company. And then he withdrew.

*Ordered*, That a committee be appointed to wait on the Governor, and notify to him his appointment.

And a committee was appointed, of Messrs. Lee, Bullitt, Webb and Fleming.

Mr. Baister reported, from the committee of Privileges and Elections, that the committee had had under their consideration the petition of divers inhabitants of the county of Fairfax, to them referred, praying that the election of delegates for the said county may be set aside, and had agreed upon a report, and come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, that only about 60, out of 300 frecholders in the said county, voted at the said election, owing altogether to the smallpox raging in the town of Alexandria, on the day appointed by law, and that due notice was given thereof.

Whereupon your committee came to the following resolution:

*Resolved*, as the opinion of this committee, That the said petition be rejected.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

Mr. Lee reported, from the committee of Public Claims, to whom the petition of Levi Shinn was recommitted, that the committee had had under their farther consideration the said petition, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, as the opinion of this committee, That the said petition is reasonable, and that the petitioner ought to be allowed the sum of 15*l*. being the appraised value of the said horse.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

Mr. Lee reported, from the committee of Public Claims, to whom the petition of William Christian was referred, that the committee had examined the matter of the said petition, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, as the opinion of this committee, That the said William Christian ought to be allowed the farther sum of 11*s*. 3*d*. per day for 102 days, amounting to 57*l*. 7*s*. 6*d*. over and above his pay as a colonel, which has been allowed him.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

A petition of Giles Sydnor was presented to the House, and read; setting forth, that in the year 1776, he was appointed by a court martial of the county of Richmond an ensign in the service of the United States of America, and in consequence thereof received from the treasury the bounty money allotted for each recruit; that on the 6th day of January last, he was robbed of the said bounty money, and although he has tried every method in his power, hath not been able to recover the same, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of James Maxwell was presented to the House, and read; setting forth, that Primus, a negro man slave, the property of the petitioner, having some time in the year 1775 taken up arms under Lord Dunmore against this State, was apprehended and delivered to Col. Scott of the second Virginia regiment; that the said slave was in consequence thereof confined in the public jail until the 15th of January, 1776, when he died, and praying such allowance may be made him for the said slave as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Cowper was presented to the House, and read; setting forth, that in the year 1776 he had a negro slave named Sue, who, while Lord Dunmore's fleet lay at Norfolk, ran away and got on board a schooner belonging to Andrew Sprowle, on board which vessel the said Sprowle then was; that he applied to the said Sprowle to



deliver the said slave to him, which he refused to do, alleging, that if he did he should thereby lose a valuable negro man slave, who had the said female slave to wife, but assured him, that in case any accident or death should happen to the said slave he would make good the value of her to the petitioner; that the said Sprowle afterwards proceeded with the fleet to Gwyn's Island, and there died, and that he has never since heard any thing of the said slave, and praying to be allowed the value of the said slave out of the estate of the said Sprowle.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Several petitions of the inhabitants of the county of Washington were presented to the House, and read; setting forth, that they are greatly injured by the line as settled by the late act of Assembly, between the said county and the county of Ohio, and praying that the same may be set aside, and a more convenient line established.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; and that they do examine the matters thereof, and report the same, with their opinion thereupon, to the House.

Mr. Banister reported, from the committee of Privileges and Elections, that the committee had had under their consideration the several certificates of the election of delegates to serve in this present General Assembly, and compared the same with the form prescribed by law, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, as the opinion of this committee, That the certificates of the election of delegates to serve in this present General Assembly for the counties of Buckingham, Dinwiddie, Kentucky, King William, King George, Norfolk and Prince George, are made in the form prescribed by law.

*Resolved*, as the opinion of this committee, That the certificates of the election of delegates to serve in this present General Assembly for the county of Washington are not made in the form prescribed by law.

Your committee beg leave to inform the House, that it appears to them, from a writing annexed to the certificate of the sheriff of the said county of Kentucky, that the first Tuesday in April, being the day appointed by law for the election, had elapsed before the commissions for appointing the justices and sheriff were received, and that he did therefore advertise and hold the said election on the 18th day of that month at Harrodsburg, where every free landholder in the said county gave his vote.

Whereupon your committee came to the following resolution:

*Resolved*, as the opinion of this committee, That the election of delegates for the said county of Kentucky was not made according to law.

The first resolution of the committee being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That the farther consideration of the said report be postponed.

The orders of the day being read,

*Resolved*, That this House will on Monday next resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will on Monday next resolve itself into a committee of the whole House, to consider of the bill "to repeal so much of an act entitled 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year".

And then the House adjourned till Monday morning, 10 o'clock.

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### MONDAY, June 2, 1777.

*Resolved*, That the resolution of this House, on Saturday last, directing the commissioners appointed to take-depositions in the city of Williamsburg relating to the claim of Richard Henderson and Company, depending before the General Assembly, to inquire of the Indian chiefs, now in the said city, of the nature, extent, and circumstances of their sale to the said Henderson and Company, be rescinded.

*Ordered*, That Mr. Nicholas do carry the said resolution to the Senate, and desire their concurrence.

Several petitions of the freeholders of the county of King George, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that in consequence of a petition from the inhabitants of the said county, and the county of Stafford, the bounds of these counties were altered, and established greatly to their satisfaction, and they hoped to the satisfaction of every one concerned; but that they are informed petitions will be presented to have the same again altered, by adding part of the county of King George to the county of Westmoreland, and part of Westmoreland to King George county, which would leave the petitioners in a very disagreeable and unhappy situation, and praying the present bounds of the said counties may remain unaltered.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Essex, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they are much aggrieved by an act of Assembly passed the last session for establishing a public warehouse at Piscataway for the inspection of tobacco, and putting down the inspection at



Bowler's, the distance to Piscataway being much farther, and the way so hilly, that, without more than ordinary force, it is impossible to get an hogshhead of tobacco thereto, when that to Bowler's is quite level from all quarters, and praying the inspection at Bowler's may be established as formerly.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill "for appointing commissioners of Oyer and Terminer for the trial of criminals now in the public jail;" and that Messrs. Fleming, Nicholas and Prentis, do prepare and bring in the same.

A petition of Burr Harrison was presented to the House, and read; setting forth, that having been appointed paymaster and contractor to the troops stationed on the western frontiers, he waited on the Governor and Council early in November last to receive the necessary sums of money for paying the troops and furnishing provisions, but, from the exhausted state of the treasury, he was obliged to wait near a month before he could be supplied, which kept him so late in the season that it was the 21st of December before he could leave Pittsburg, in order to proceed down the river Ohio to the mouth of the Great Kanawha; that, being informed the troops were in want of provisions, and apprehending the river would be impassable by the ice, he continued his passage by night and by day; that in the first night after he set out the head of his bateaux struck against a large tree, which lay a little under the surface of the water, by which two of her planks gave way, and instantly her stern sunk; that, with much difficulty, he saved himself and the party who were with him; that 724L 4s. paper currency, and flour and salt to the value of 172L except 31 barrels of the flour, were entirely lost; and that he was at the expense of 37L in searching for the same, and praying to be allowed such compensation for the losses aforesaid as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of Ebenezer Hazard, Esquire, surveyor of the continental postoffice, was presented to the House, and read; praying that all postmasters, post riders, and other persons immediately concerned in conducting the business of the postoffice within this State, may be exempted from all military duties, and not compelled to furnish a substitute.

*Ordered*, That the said memorial do lie upon the table.

Mr. Prentis presented to the House, according to order, a bill "to prevent houses and other private property from being taken for the use of the soldiery, and to oblige quarter-masters to furnish tents or barracks for such officers or soldiers as may be thought necessary for any particular station;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

An engrossed bill, "for dissolving the vestry of the parish of Newport, in the county of Isle of Wight," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act for dissolving the vestries of several parishes."

*Ordered*, That Mr. Todd do carry the bill to the Senate, and desire their concurrence.

Mr. Bullitt presented to the House, according to order, a bill "for establishing a loan office, for the purpose of borrowing money for the use of the United States, and appointing a commissioner for superintending the same;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A message from the Senate by Mr. Winston:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House for appointing Edmund Randolph, Esq. attorney general of this Commonwealth; and Adam Craig, Esq. Muster Master General, without any amendment. And also, the Senate have agreed to the resolution of this House to proceed, by joint ballot, to the choice of two colonels, in the room of Philip Love and William Grayson, Esquires. And then he withdrew.

The Speaker laid before the House a letter from the Governor, enclosing a state of the military stores belonging to this Commonwealth.

*Ordered*, That the said letter and state do lie upon the table.

*Ordered*, That a message be sent to the Governor and Council, desiring they would inform this House whether Philip Love and William Grayson, Esquires, resigned their appointments as colonels of two of the battalions of this Commonwealth, or refused to accept the same; and that Messrs. Fleming and Harvie, do carry the said message.

The Speaker laid before the House a letter from Thomas Whiting, Esq. first commissioner of the navy, enclosing an account of all naval disbursements which have been made by the board of commissioners, together with a list of the navy, according to its present state; and also a journal of their proceedings to the 1st of April last.

And the said letter was read.

*Ordered*, That the said letter, account, state, and journal, do lie upon the table.

A petition of Amos Eaton, Evan Shelly, James Kincannon, Abel Richardson, John Beatty, James McGaffock, David Getgood, James Aylett, William Sawyers, Robert Barnett and Ephraim Dunlop, was presented to the House, and read; setting forth, that they had their meadows and pastures taken for the use of the troops on the Cherokee expedition, under the command of Col. Russell, and that others of them had their corn-fields destroyed, and praying that such compensation should be made them as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of Sampson Matthews and Alexander Sinclair was presented to the House, and read; setting forth, that having been appointed by the General Assembly to superintend manufactory of sail duck in the town of Staunton, they proceeded to make the necessary preparations, but that the advanced price of linen having raised the wages of spinners, which are difficult to be procured at any rate, will make the progress of the factory uncertain, and the manufactures dear; that they are of opinion a work of this sort might be carried into execution with certainty, and turn out to good account, if a sum of money, not exceeding 2500*l.* was laid out in the purchase of negroes to be employed therein; and praying the matters aforesaid may be taken into consideration, and such regulations made therein as shall be most likely to answer the purposes thereby intended.

*Ordered*, That the said memorial be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House proceeded to nominate persons to be ballotted for as colonels in the room of Philip Love and William Grayson, Esquires.

And several persons were nominated accordingly.

*Ordered*, That Mr. Harvie do carry a list of the persons so nominated to the Senate.

Mr. Thomas Hite presented to the House, according to order, a bill "for establishing a town in the county of Berkeley;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A petition of Isaac Thomas was presented to the House, and read; setting forth, that on the approach of the Cherokee Indian war he fled from that nation, in order to warn the inhabitants on the frontiers of their danger, in consequence of which he lost his cattle and horses to a considerable amount, and that a negro of his was drowned by the Indians, and praying such reparation may be made him as shall be thought just and reasonable.

*Ordered*, That the petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Prentiss presented to the House, according to order, a bill "for regulating and disciplining the militias of the city of Williamsburg and borough of Norfolk;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Henry presented to the House, according to order, a bill "to amend an act entitled 'an act for preventing excessive and deceitful gaming;'" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Bullitt, presented to the House, according to order, "a bill to repeal an act of Assembly entitled 'an act to regulate the inoculation of the smallpox within this colony;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

*Ordered*, That it be an instruction to the committee to whom the bill "to repeal so much of 'an act entitled an act to make provisions for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year," is committed; that they have power to receive a clause, or clauses, for raising by taxes, in the course of the present year, the sum of                      thousand pounds, towards sinking the proportion of the Commonwealth of the debt due from the United States.

*Resolved*, That the commissioners appointed to take depositions relative to the claim of Richard Henderson and Company, depending before the General Assembly, have power to send for persons, papers and records, for their information.

A petition of William Cocke, was presented to the House, and read; setting forth, that all his crop of corn was destroyed by the bullocks and pack-horses belonging to this Commonwealth, on the late expedition against the Indians: and praying to be allowed such satisfaction for his loss aforesaid, as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of William Owen, John Owen, John Thomas and Andrew Ripley, late soldiers in the minute service under Captain William Smith, was presented to the House, and read; setting forth, that they were taken sick while on duty in Gloucester town, and did not recover their healths till some time after their discharge from the service; that during their sickness they should have suffered greatly, had it not been for the generosity of their captain; and that they have expended their little stock of money in their sickness, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same with their opinion thereupon, to the House.

A petition of Elizabeth Ducom was presented to the House, and read; setting forth, that her husband was a soldier under Captain Womock on the late Cherokee expedition, and was slain, with a number of others, in an action with the said Indians, by which she is left a widow with five helpless children, whom, being herself a cripple, she is unable to maintain, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Lee reported, from the committee of Public Claims, that the committee had had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which they had directed him to



report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz :

*Resolved, as the opinion of this committee,* That so much of the petition of James Taylor as prays an allowance for two negro slaves which were removed from his plantation, in the county of Norfolk, to the Great Bridge, pursuant to an order of Convention, and there died; be rejected.

*Resolved, as the opinion of this committee,* That such other parts of the said petition as pray an allowance for 19 head of sheep and 9 head of cattle, which were drove from his plantation and lost, is reasonable; and that the petitioner ought to be allowed the sum of 27*l.* 10*s.* for the same.

*Resolved, as the opinion of this committee,* That the petition of Elizabeth Newell, relict and widow of Samuel Newell, deceased, setting forth, that her husband engaged in the service of this State, with others, for the protection of the frontiers, and also served in the expedition against the Cherokees; that after the end of the campaign he was sent with another person into the Cherokee towns with letters, and brought with them back the Raven of Chote, and other Indians; that afterwards, on a family's being murdered near fort Patrick Henry, he was ordered alone to Chote with letters, and on his way to the town of Toquo he was tomahawked and scalped by the Indians, and soon afterwards died in the town of Chote, leaving the petitioner and three small children in such a distressed situation as even to want the common supports of life, is reasonable; and that the sum of 20*l.* for their present relief, and also the farther sum of 10*l.* per annum, during the term of three years, ought to be allowed, and paid to Walter Crockett and John Montgomery, gentlemen, to be by them laid out for the support and maintenance of the petitioner and her children.

*Resolved, as the opinion of this committee,* That the petition of James Newell, administrator of the estate of Samuel Newell, deceased, praying an allowance for a horse, rifle gun, saddle and bridle, saddle bags, and clothes, belonging to the intestate, which were taken from him at the time he was killed by the Indians in going with despatches from Colonel Christian to the Cherokee nation, is reasonable; and that the sum 58*l.* 15*s.* ought to be allowed, and paid to the petitioner by the public.

*Resolved, as the opinion of this committee,* That the petition of Southy Simpson, praying to be reimbursed several sums of money which he hath paid for removing a quantity of powder and sulphur from the Eastern Shore to the city of Williamsburg, and for 267 pounds and an half of lead purchased for the use of the Accomack militia, is reasonable; and that the petitioner ought to be reimbursed the sum of 30*l.* 7*s.* 7*d.* halfpenny by the public.

The 1st and 2d resolutions of the committee being read a second time, and the question being put, that the said resolutions be recommitted to the same committee,

It was resolved in the affirmative.

The 3d, 4th, and 5th resolutions of the committee, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That Mr. Lee do carry the resolutions to the Senate, and desire their concurrence.

Mr. Banister reported, from the committee of Privileges and Elections, that the committee had had under their consideration the petition of Arthur Campbell and William Edmondson to them referred, and had agreed upon a report, and come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz :

As to the first article of charge contained in the said petition against the sitting members, as not having a greater number of legal votes than the petitioners, it appears to your committee, from a certificate of the sheriff of the county of Washington, that upon the close of the poll the number of voters stood as follows, to wit :

For Mr. Anthony Bledsoe,	297
Mr. William Cocke,	294
Mr. Arthur Campbell,	211
Mr. William Edmondson,	144

It also appears to your committee, from a line run by Col. John Donaldson between this State and North Carolina, as far as the Holstein river, that should it be continued in the same latitude to where it would intersect the north fork of Holstein river, a considerable number of those who voted for the sitting member would be left in North Carolina, and if allowed the right of suffrage in the said county of Washington, would give them the greater number of legal votes.

It farther appears to your committee, from the information of Thomas Walker, Esq. that from the most accurate observations he hath been able to make, the Great Island on the Holstein river lies in this State, and that, should a direct line be run from where the said Donaldson's terminated to the said island, the greater number of voters living in the bent of Holstein river, would be taken into the county of Washington, and that such line would in many places intersect the said river.

It appears to your committee, from the information of Col. William Christian, that he brought a writ of ejectment in the county court of Fincastle for a tract of land lying near the Holstein river, between the Great Island and the termination of Donaldson's line; that the person who was in possession of the land, and defended the suit, pleaded to the jurisdiction of the court, which was overruled, and he obtained a judgment.

It farther appears to your committee, from the testimony of James Thompson, that he acted as sheriff in the county formerly Fincastle, in the year 1774 and 1775, during which time he collected levies and taxes from those people



who reside on the north side of Holstein river, as low down as within about six miles of the Great Island, which was esteemed the reputed bounds of Virginia.

As to the second article of charge contained in the said petition, touching Mr. Bledsoe's holding a military command, it appears to your committee, that Mr. Bledsoe holds no other commission than that of a major in the militia.

As to the article of charge against Mr. Cocke, as not being a landholder, and resident in the said county of Washington,

It appears to your committee, from the testimony of James Thompson and John Montgomery, that Mr. Cocke was possessed, under a survey, of more than 100 acres of land for one year preceding the election, hath resided in the county formerly Fincastle, with a family, several years, until some time in February last, when Mr. Cocke moved part of his family out of the county for fear of an Indian war, but continues there himself the greater part of his time.

That the said John Montgomery was present when the poll was closed, and heard the sheriff proclaim the sitting members duly elected.

As to the last article of charge, respecting the bribery and corruption,

It appears to your committee to be groundless.

Whereupon your committee came to the following resolutions:

*Resolved, as the opinion of this committee,* That the said petitioners have not made good any of their charges against Mr. Anthony Bledsoe and Mr. William Cocke.

*Resolved, as the opinion of this committee,* That the said Anthony Bledsoe and William Cocke, were duly elected to serve as delegates in this present General Assembly for the county of Washington.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

An engrossed bill, "For farther suspending the payment of the salaries heretofore given to the clergy of the church of England," was read the third time.

*Resolved,* That the bill do pass; and that the title be, "an act for farther suspending the payment of the salaries heretofore given to the clergy of the church of England."

*Ordered,* That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "For adding part of the county of Charlotte to the county of Lunenburg," was read the third time.

*Resolved,* That the bill do pass; and that the title be, "an act for adding part of the county of Charlotte to the county of Lunenburg."

*Ordered,* That Mr. Glenn do carry the bill to the Senate, and desire their concurrence.

*Ordered,* That leave be given to bring in a bill, "to confirm the Kentucky election;" and that Messrs. Banister and Starke, do prepare and bring in the same.

The House, according to order, resolved itself into a committee of the whole House, upon the state of the Commonwealth.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had come to several other resolutions, which the committee had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved, as the opinion of this committee,* That towards supplying any deficiency in the fifteen continental battalions, two of the militia in every county, city, or borough, who shall within furnish any able bodied recruit, other than an apprentice or servant, within the time of his conviction or indenture, to serve in any one of the said battalions for the term of three years, or during the present war, ought to be exempted from being draughted, and other actual service in the respective militias to which they belong; that such exemption should continue during the term for which such recruit shall enlist, or during his natural life, and that he ought to receive the continental bounty, and other allowances, over and above all private gratuities.

*Resolved, as the opinion of this committee,* That the soldiers who have by the terms of their enlistments engaged to serve for one year, and have received one third part of the bounty money only, be entertained until the expiration of the time they engaged to serve, and that others may be hereafter enlisted upon the same terms towards supplying the deficiencies in the six additional battalions.

*Resolved, as the opinion of this committee,* That all persons, except the Governor of this Commonwealth, who by law are exempted from bearing arms or performing militia duties, ought, as an equivalent for such exemptions, to furnish a reasonable number of able bodied soldiers, who should be entitled to the continental bounty, and other allowances, over and above such gratuities as they may receive of those procuring them to enlist.

*Resolved, as the opinion of this committee,* That every bachelor above the age of thirty years, worth an estate, either real or personal, of 500l. currency, shall enter into the service of the United States, procure an able bodied man in his room, or pay the sum of \_\_\_\_\_ annually, so long as he remains a bachelor, and in like proportion for a larger estate.

*Resolved, as the opinion of this committee,* That the enlisting apprentices and servants (all convicts and others im-

ported from Great Britain and Ireland excepted) ought to be allowed: and that imprisoning, or otherwise restraining the persons of soldiers in the service of this Commonwealth, for any debt not exceeding fifty dollars, ought to be prohibited.

*Resolved, as the opinion of this committee,* That for garrisoning the several fortifications within this Commonwealth, and farther defence of the same, it is expedient and necessary that a battalion of artillery be forthwith raised, to consist of ten companies, each of 68 able bodied men, rank and file, and to be commanded by their proper officers.

*Resolved, as the opinion of this committee,* That it be earnestly recommended to the good people of this Commonwealth, and more especially to all such as by the affluence of fortune, the blessing of health, and vigor of constitution, are the most able to set every laudable example, do use every means in their power towards the most speedy completion of the recruits necessary for the defence of the United States of America, in this most critical and alarming time of imminent danger. That should the deficiencies, either in the continental battalions, or those intended for the immediate defence of this State, be not speedily filled up, that they exert their utmost endeavors to supply the same, either by stepping forth themselves, or engaging others to enter into the service for the term of one year at least.

And inasmuch as this country lies daily exposed to the incursions and depredations of a most vindictive enemy, and loudly calls on all those sons of freedom whom she hath nurtured in her bosom to use the utmost exertions for her defence and security,

*Resolved,* That it be farther most earnestly recommended to all the good people of this Commonwealth, of what condition soever, to use every endeavor to inspire each other with a becoming military ardor; that they be intreated, conjured to do this, as they tender the salvation of their country, the security, the prosperity, and happiness of themselves, their wives, their children, their all. And the more effectually to attain these noble purposes,

*Resolved,* That it be farther recommended, that so many volunteer companies as may be judged necessary and convenient in every county, be immediately raised, to be commanded by the most proper officers to be appointed by the county lieutenant, with the advice of one or more of his field officers; that such companies be kept in regular training, arrayed in battalions as occasion may require, and subject to such rules and regulations as may be best calculated for preserving decorum, order, and exact discipline.

*Resolved, as the opinion of this committee,* That the several county courts be empowered to provide, at the public expense, provision, and all other necessities, for the support and comfortable subsistence of the wives, children, and aged parents, of poor soldiers, during their absence from home in the public service.

*Resolved, as the opinion of this committee,* That all soldiers who have enlisted, or shall hereafter enlist, into either of the battalions of this Commonwealth, ought to be supplied with clothing and other necessities out of the public store of this Commonwealth, at the prime cost thereof, without any advance whatever.

*Resolved, as the opinion of this committee,* That for completing the six new battalions voted by the last Assembly towards augmenting the continental army, every county, city, and borough, in case the officer or officers by them appointed have not already, or shall not on or before the day of next, enlist the quota of men allotted to such officer or officers, ought, so soon as conveniently may be, after the said day of by indiscriminate draughts, to be made from their respective militias, including officers, to serve for one year, to supply every deficiency in their several quotas.

The 1st, 3d, 4th, 5th, 6th, and 7th resolutions of the committee, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 2d resolution being read a second time, the amendment following, was proposed to be made thereunto, viz:

To leave out "and that others may be hereafter enlisted upon the same terms towards supplying the deficiencies in the six additional battalions."

And the question being put, that the words "and that others may be hereafter enlisted upon the same terms, towards supplying the deficiencies in the six additional battalions" stand part of the motion.

It passed in the negative.

*Resolved,* That this House doth agree with the committee in the said resolution so amended: That the soldiers who have, by the terms of their enlistments, engaged to serve for one year, and have received one third part of the bounty money, be entertained until the expiration of the time they engaged to serve.

*Ordered,* That the farther consideration of the report be adjourned till to-morrow.

Mr. Fleming also acquainted the House, that he was directed by the committee to move that they may have leave to sit again.

*Resolved,* That this House will to-morrow resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

Mr. Henry reported, from the committee of Propositions and Grievances, that the committee had had under their consideration several petitions to them referred, and had come to several resolutions, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved, as the opinion of this committee,* That the petition of divers inhabitants of the counties of Amherst and Buckingham, praying that the ferry across the Fluvannah river, from the land of Benjamin Howard, to the land of Neil Campbell, may be discontinued, and a ferry established across the said river from the land of William Howard, lying on each side of the Rockfish river, at the mouth thereof, in the counties of Amherst and Albemarle, to the lands of Thomas Anderson, in the county of Buckingham, and from the lands of the said Thomas Anderson to the lands of the said William Howard, is reasonable.



*Resolved, as the opinion of this committee,* That the petition of John Dix, praying that the ferry across Dan river, from his land to the land of Robert Payne, may be discontinued, and that a ferry may be established across the said river to and from the lands of the petitioner, lying on each side thereof, is reasonable.

*Resolved, as the opinion of this committee,* That the petition of the court of the county of Lunenburg, the vestry of Cumberland parish, and divers others inhabitants of the said county, praying that the said court and vestry may be empowered to fix a rate by which the inhabitants may be allowed to pay their respective levies in money, be rejected.

The said resolutions being severally read a second time, were, on the question severally put thereupon, agreed to by the House.

*Ordered,* That the committee of Propositions and Grievances do prepare and bring in a bill, or bills, pursuant to the first and second resolutions of the committee.

The several other orders of the day being read,

*Ordered,* That a bill "for establishing a General Court, and Courts of Assize," be read, the first time, on Friday next.

*Resolved,* That this House will to-morrow resolve itself into a committee of the whole House to consider of the bill "to repeal so much of an act entitled 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

*Resolved,* That this House will to-morrow proceed, by joint ballot with the Senate, to the choice of two colonels, in the room of William Grayson and Philip Love, Esquires.

*Ordered,* That Mr. Harvie do acquaint the Senate therewith.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, June 3, 1777.

Another member having taken the oath appointed to be taken by law, took his seat in the House.

*Resolved,* That the Governor, with the advice of the Privy Council, be empowered to employ proper persons to purchase, on account of the public, and at a generous price, all the salt that may be imported into this country in the course of the next twelve months, and that he be authorised to issue his warrant on the treasurer to pay for the same; that such salt, when purchased, be immediately stored in some convenient and secure parts of the country, and distributed, by order of the Governor, with advice of the Council, amongst the inhabitants of the different counties, in such proportions as their exigencies may require; and that the quantity procured may admit regard being principally had to such counties as are farthest removed from salt water, and that the receivers of the salt do pay into the hands of such persons as may be appointed for that purpose, at the time of the delivery, so much per bushel as the Governor, with the advice of the Council, may judge reasonable, the money when received, to be paid with all convenient despatch into the treasury, for reimbursing the public.

*Ordered,* That Mr. Harvie do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate are ready to proceed, by joint ballot of both Houses, to the choice of two colonels, in the room of Philip Love and William Grayson, Esquires; and have added no person to the list of those nominated for those offices. And then he withdrew.

A bill "for regulating and disciplining the militia of the city of Williamsburg and borough of Norfolk," was read a second time.

*Resolved,* That the bill be committed to Messrs. Curle, Prentis, Nicholas, Norvell, Wilson and Godfrey.

A petition of William Ballard was presented to the House, and read; setting forth, that he had a quantity of lumber at the Great Bridge, in the county of Norfolk, which was applied by the commander of the Virginia forces towards building the forts, for which he received no satisfaction, and praying to be allowed for the same what shall be thought just and reasonable.

*Ordered,* That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Northumberland, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that persons who carry tobacco to Wicommico inspection are often put to great expense and inconvenience, the warehouses on both sides the river, which in high winds is impassable, being under one inspection, and praying that the said warehouses may be put under separate inspections.

*Ordered,* That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have agreed to the resolution appointing John Page, Dudley Digges, John Blair, Bartholomew Dandridge, Thomas Walker, Nathaniel Harrison, Thomas Nelson, jun. and David Jameson, Esquires, members of the Privy Council, or Council of State. And then he withdrew.



The Speaker laid before the House a letter from Monsieur De Bourneuf, a French officer, proposing to accept a military command in the service of this Commonwealth.

And the said letter was read.

*Ordered*, That the said letter do lie upon the table.

A petition of Billy Haley Avery and James Grubb, was presented to the House, and read; setting forth, that the petitioners were, by warrant from the committee of Safety, in the month of July, 1776, detached to the county of Pittsylvania, to apprehend Benjamin Woodward and the Cooks, suspected of having counterfeited the treasury notes of this Commonwealth; that, agreeably to their instructions, they conveyed the criminals to the public jail, from whence, in a short time, they were ordered to return with them to Pittsylvania, and praying to be allowed such reasonable compensation for their trouble as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of the Presbytery of Hanover was presented to the House, and read; setting forth, that they, together with the religious denomination with which they are connected are most sincerely attached to the interests of the American States, and are determined that their most fervent prayers, and strenuous endeavors, shall be united with their fellow subjects to repel the assaults of tyranny, and to maintain their common rights; that nothing has inspired them with greater confidence in the legislature than the late act of Assembly declaring equal liberty, as well religious as civil, should be universally extended to the good people of this country, and that all the oppressive acts of parliament respecting religion, which have been formerly enacted in the mother country, shall henceforth be of no validity or force in this Commonwealth, and also exempting dissenters from all levies, taxes, and impositions whatsoever, towards supporting the church of England, as it now is, or hereafter may be established; that they wish therefore to give the Legislature no farther trouble on the subject, but are sorry to find there yet remains a variety of opinions touching the propriety of a general assessment, or whether every religious society shall be left to the voluntary contributions for the maintenance of the ministers of the gospel of different persuasions. But as this matter is deferred to the discussion and final determination of a future Assembly, they think it their indispensable duty again to repeat part of the prayer of their former memorial, that dissenters, of every denomination, may be exempted from all taxes for the support of any church whatsoever, farther than what may be agreeable to the private choice or voluntary obligation of every individual, while the civil magistrates no otherwise interfere than to protect them all in the full and free exercise of their several modes of worship; and praying the Legislature will never extend to them, or to the congregations under their charge, any assessment for religious purposes.

*Ordered*, That the consideration of the said memorial be deferred to the next session of General Assembly.

A petition of Charles Sayer was presented to the House, and read; setting forth, that a negro man slave, the property of the petitioner, was, about the month of December, 1775, taken by our troops at the Great Bridge, in the service of Lord Dunmore; that the said slave was sent to Williamsburg, and afterwards, by order of the committee of Safety, conveyed to the lead mines, at which place he is now employed in the country's service, and that the petitioner doth now stand in great need of the said slave, and praying the said slave may be returned to him, together with his hire for the time he has been employed in the service of the country.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Christopher Watson was presented to the House, and read; setting forth, that his son Benjamin Watson, being a soldier in the minute service for this Commonwealth, after the expedition last fall, against the Indians, was discharged at the Long Island at Holstein, upwards of 300 miles from home, in such a state of health as rendered him unable to return; that the petitioner went to his assistance, and brought him home, but that he still remains in a helpless condition, and not likely to recover, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of James Arbuckle, was presented to the House, and read; setting forth, that the petitioner, with four others, were appointed commissioners by the last Convention, to fix on a place in the county of Accomack, for erecting salt works, and provide necessary materials; that on such appointment, he, with two others of the commissioners, fixed on a place, and then he undertook the management of the said works, in consequence of which he has been at considerable trouble and expense, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee appointed to inquire into and report the progress of the several salt works in this Commonwealth.

A petition of Thomas Tomer, John Brannum, Michael Tredley, Mary Burnett, Benjamin Bannerman, Isaac Thompson, James Miller, Perebee Hodges, John Scott and Richard Blake, was presented to the House, and read; setting forth, that the petitioners are owners and proprietors of houses and lots, in the town of Portsmouth, and occupied the same till they were seized as barracks for the soldiers, in consequence of which, the said houses have received considerable damage, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Seymour Powell, was presented to the House, and read; setting forth, that the petitioner, had some houses in the town of York, wherein he resided with his family, and followed mer-handize for their support, un-

til a report prevailed that the town, in its then defenceless state, was soon to be attacked and destroyed by British troops and ships of war, which was the more readily believed, as it was communicated by a member of Congress to his friend in that town; that the petitioner was advised, as he had a large family of young children, and was himself very infirm, (being much afflicted with the gout, which rendered him incapable of any military duty,) to retire, with himself and family, to a place of greater security, and he accordingly removed, at a considerable expense, to the town of Hanover, where he still resides; that soon after he quitted his houses at York, the soldiers stationed there took possession thereof, and have so broken, rented, and spoiled them, that they are not now habitable, nor can be made so, without great expense; that he has a plantation near the said town of York, which has been the chief support of himself and a numerous family, since he has been obliged to decline trade, and he still hoped to derive profit and advantage from the said plantation, but the petitioner, to his great concern, has been lately informed that the officers and soldiers stationed at York town, have encamped on his land, and, without his knowledge or consent, taken possession of, and deprived him of the only pasture he has to support his stock; that they greatly interrupt the business of his plantation, have cut down and destroyed much of his timber, and he fears, if they continue there, will not only injure, but entirely destroy his crop, and deprive his family of what is now their only means of subsistence; and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of the whole House upon the state of the Commonwealth.

A petition of John Willoughby, was presented to the House, and read; setting forth, that John Willoughby, late of the county of Norfolk, Esq. deceased, was in his lifetime seized of an estate tail in a certain tract of land in the said county, called Willoughby's Point, to which were annexed 81 slaves, which said slaves, on the 4th of April, 1776, were in the possession of the petitioner, the eldest son and heir of the said John Willoughby, deceased; that he was also possessed, in fee simple, of six other slaves, all of whom remained with him until the resolution of the committee of Safety for the removal of the inhabitants of Princess Anne and Norfolk was published, and about to be carried into execution, when the said slaves, rather than be removed, deserted and went on board Lord Dunmore's fleet, and either died, or were carried out of the country, so that none of them were regained by the petitioner; and praying, that as the desertion of the said slaves was occasioned by the resolution aforesaid, such compensation may be made him as shall be thought just and reasonable.

On a motion made, that the said petition be referred to the consideration of a committee,  
It passed in the negative.

A memorial of the proprietors of a tract of land on the Ohio, called Indiana, was presented to the House, and read; setting forth, that in the year 1763, the Shawanese, Delaware and Huron tribes of Indians, dependents and tributaries of six united nations, contrary to the faith of treaties, and in violation of their repeated promises of protection to the persons, servants, and effects of such persons as should supply them in their own country with merchandise, did, without the least cause, most unjustly and wantonly seize upon, and appropriate to their own use, the merchandise and effects of the memorialists, and others under whom they claimed; that upon application to the Six Nations by Sir William Johnson, baronet, for a reparation of the damages sustained by the depredations and violence so committed, they did agree to make compensation for the same, and at a treaty held at fort Stanwix, in the year 1768, in consideration of the sum of \$5,916l. 10s. *Sd.* the amount of the damages sustained, they, the said six united nations, did grant to the said traders, as a retribution for the damages aforesaid, all that tract of land, beginning at the southern side of the mouth of little Kanawha creek, where it empties itself into the river Ohio, and running from thence southeast to the Laurel Hill, until it strikes the river Monongahela, according to the several courses thereof, to the southern boundary line of the province of Pennsylvania, thence westwardly, along the same as far as it shall extend, and from thence, by the said course to the river Ohio, according to the several courses thereof, to the beginning; that the said grant was obtained of the grantors, under the immediate superintendence of Sir William Johnson, and executed in the presence of the governor of New Jersey, and others, among whom were the commissioners then attending in behalf of the colony of Virginia; that they could not observe, but with concern, that the late Convention of Virginia had, by their resolve of the 24th of June last, laid a foundation for calling in question the title of the memorialists to the lands aforesaid; that if the title of the memorialists should be called into discussion, conscious of the equity and validity of their right, they shall never hesitate to submit it to a proper judicature, nor to defend it in the ordinary course of justice; that, under these circumstances, they confide the legislature of Virginia will not, by any act or proceeding whatever, impeach or prejudice their title, so well established, on the principles of reason, equity, and sound policy.

*Ordered*, That the said memorial be referred to the committee of the whole House upon the state of the Commonwealth.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolution of this House for paying to Levi Shinn the sum of 15l. without any amendment. And also,

The Senate have agreed to the resolution of this House for paying to William Christian 57l. 7s. 6d., with an amendment, to which amendment the Senate desire the concurrence of this House. And then he withdrew.

And the said amendment was read, and is as followeth: Line 3d, leave out 11s. 3d. and insert 7s. 6d., and in the same line leave out 57l. 7s. 6d. and insert 38l. 2s. 6d.

The said amendment being read a second time, was, upon the question put thereupon, disagreed to by the House.



*Ordered*, That a message be sent to the Senate to acquaint them that this House doth disagree to the amendment by them proposed to the said resolution, and doth desire that they will pass the same without the said amendment; and that Mr. Lee do carry the said message.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the bill entitled, “an act for providing against invasions and insurrections,” with some amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

Mr. Harvie presented to the House, according to order, a bill “for preventing the forgery of certain warrants and certificates, and other purposes;” and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Fleming presented to the House, according to order, a bill “for appointing commissioners of Oyer and Terminer for the trial of the criminals now in the public jail;” and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

A bill “for establishing a loan office, for the purpose of borrowing money for the use of the United States, and appointing a commissioner for superintending the same,” was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, upon Thursday next, resolve itself into a committee of the whole House, upon the said bill.

A bill “to repeal an act of Assembly, entitled ‘an act to regulate the inoculation of the smallpox within this colony,’ ” was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, upon Thursday next, resolve itself into a committee of the whole House, upon the said bill.

A bill “to discourage desertion, and to punish persons harboring or entertaining deserters,” was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, upon Friday next, resolve itself into a committee of the whole House, upon the said bill.

*Ordered*, That Messrs. James Speed, Coleman and Glenn, have leave to be absent from the service of this House for the remainder of the session.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act for dividing the county of Albemarle and parish of St. Anne.” And also,

The Senate have agreed to the bill, entitled “an act for dividing the county of Cumberland.” And also,

The Senate have agreed to the resolve of this House for rescinding the resolution directing the commissioners appointed to take depositions in the city of Williamsburg relating to the claim of Richard Henderson and Company, depending before the General Assembly, to confer with the Indian chiefs now in the said city on the subject thereof, without any amendment.

The Senate do insist on their amendment to the resolution of this House for paying to William Christian the sum of 57*l.* 7*s.* 6*d.* disagreed to by this House, and do desire this House to recede from their disagreement. And then he withdrew.

A message from the Senate by Mr. Brooke:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act for dissolving the vestries of several parishes.” And then he withdrew.

The order of the day being read, for the House to proceed, by joint ballot with the Senate, to the election of two colonels, in the room of Philip Love and William Grayson, Esquires;

The House were informed, that several things had been alleged against Lieut. Col. Haynes Morgan, of the first regiment, one of those nominated in the list of persons to be ballotted for.

*Resolved*, That this House will, on Thursday next, examine witnesses, on oath, touching the said information.

*Ordered*, That a message be sent to the Senate, desiring that they will give leave to William Fleming, Esq. one of their members, to attend this House, and be examined as a witness.

*Ordered*, That Mr. Thomson Mason do carry the said message.

*Resolved*, That this House will, on Thursday next, proceed, by joint ballot with the Senate, to the election of two colonels, in the room of Philip Love and William Grayson, Esquires.

*Ordered*, That Mr. Harvie do carry the resolution to the Council, and desire their concurrence.

Mr. Fleming reported, that the persons appointed had, according to order, waited on the Governor and Council, and desired them to inform this House whether Philip Love and William Grayson, Esquires, had resigned their appointments as colonels of two of the battalions of this Commonwealth, or refused to accept the same; and that the Governor



nor and Council had directed them to inform the House, that the said Philip Love and William Grayson had never accepted their commissions.

The order of the day being read, for resuming the adjourned consideration of the report of the committee of the whole House upon the state of the Commonwealth,

The House resumed the adjourned consideration of the said report, and the 7th, 8th, 9th and 10th resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 11th resolution being read a second time, the amendment following was proposed to be made thereunto : To leave out "by indiscriminate draughts to be made from their militias, including officers, to serve for one year, to supply every deficiency in their several quotas," and to insert, "the number of men to be furnished by each county, city or borough, being first settled, to divide the whole militia of each county, city or borough, into as many lots as there are men wanting to supply their quotas, and that each lot shall be required to furnish one man; and in case they, or any of the said division, refuse or neglect to do so in three days, that then the field officer, together with the three first magistrates in the commission of the peace, not being field officers, and the captain of the company to which the division refusing belongs, having first taken an oath to act with impartiality and secrecy, shall fix upon one man in the division so refusing, who, in their opinion, can be best spared, and will be most serviceable," instead thereof.

And the question being put, that the words "by indiscriminate draughts to be made from their militias, including officers, to serve for one year, to supply every deficiency in their several quotas," stand part of the resolution,

It passed in the negative.

And the question being put, that the words "the number of men to be furnished by each county, city, or borough, being first settled, to divide the whole militia of each county, city, or borough, into as many lots as there are men wanting to supply their quotas, and that each lot shall be required to furnish one man; and in case they, or any of the said division, refuse or neglect to do so in three days, that then the field officer, together with the three first magistrates in the commission of the peace, not being field officers, and the captain of the company to which the division refusing belongs, having first taken an oath to act with impartiality and secrecy, shall fix upon one man in the division so refusing, who, in their opinion, can be best spared, and will be most serviceable," be inserted instead thereof,

It was resolved in the affirmative.

*Resolved*, That the House doth agree with the committee in the said resolution so amended: that for completing the six new battalions voted by the last Assembly towards augmenting the continental army, every county, city, and borough, in case the officer or officers by them appointed have not already, or shall not on or before the day of

next, enlist the quota of men allotted to such officer or officers, ought, so soon as conveniently may be, after the said day of (the number of men to be furnished by each county, city, or borough, being first settled) to divide the whole militia of each county, city, or borough, into as many lots as there are men wanting to supply their quota, and that each lot shall be required to furnish one man; and in case they, or any of the said divisions, refuse or neglect to do so in three days, that then the field officers, together with the three first magistrates in the commission of the peace, not being field officers, and the captain of the company to which the division refusing belongs, having first taken an oath to act with impartiality and secrecy, shall fix upon one man in the division so refusing, who, in their opinion, can be best spared, and will be most serviceable.

*Ordered*, That a bill, or bills, be brought in pursuant to the resolutions of the said committee, which have been yesterday and this day agreed to by the House; and that Messrs. Fleming, Nicholas, Henry, Bullitt, Banister, Starke, Mason, Harvie, Jones, McDowell, and Curle, do prepare and bring in the same.

A petition of Rachel, and her infant child Rachel, was presented to the House, and read; setting forth, that they were born slaves, and have heretofore been the property of John Barr, late of the county of Northumberland, deceased; that the said John Barr, from a sense of the services rendered to him in his lifetime by the petitioners, and as a reward for the same, did, by his last will and testament, bearing date the 13th day of March, 1776, among other things, make the following declaration and devise, to wit: "I claim no right, title, or interest, of, in, or to, my negro woman Rachel, and her child Rachel, and hereby order that the same shall in no wise forever hereafter be considered as part of my estate; and I do hereby give and bequeath unto my brother Zachariah twenty five acres of my land joining Jameson's, Palmer's, and Hurst's land, with as much of my estate as will build a house thereon, in trust, to and for the benefit, sole use, and profit, of the said negro woman Rachel, and her child Rachel, and their heirs forever." That the said Zachariah Barr, as heir at law to the said John Barr, claims a right to the petitioners as his slaves, and threatens to sell them in foreign parts as such, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The other orders of the day being read,

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House to consider of the bill "to repeal so much of an act entitled 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to take into their

consideration the petition of the Mayor, Aldermen, Common Councilmen, and other inhabitants of the borough of Norfolk.

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, upon the memorial of the Rector and Visitors of the College of William and Mary.

*Resolved*, That this House will, on Friday next, resolve into a committee of the whole House, upon the memorial of the trustees of the Academy of Hampden Sidney, in the county of Prince Edward.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, June 4, 1777.

*Ordered*, That Mr. Poage have leave to be absent from the service of this House for the remainder of the session.

The order of the day being read, for the House to resolve into a committee of the whole House, to take into their consideration the petition of the Mayor, Aldermen, Common Councilmen, and other inhabitants of the borough of Norfolk;

A motion was made, and the question being put, that James Holt, Esq. a member of the Senate, and one of the petitioners, be heard before the committee within the bar, in support of the petition,

It was resolved in the affirmative.

Then the House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that they had made some progress in the matter to them referred, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will to-morrow resolve into a committee of the whole House, to take into their farther consideration the said petition.

A message from the Senate by Mr. Carrington :

MR. SPEAKER,—The Senate have agreed to the bill entitled “an act for adding part of the county of Charlotte to the county of Lunenburg,” with some amendments, to which amendments the Senate desire the concurrence of this House. And also,

The Senate have agreed to the resolution empowering the Governor, with the advice of the Council, to purchase, on account of the public, all the salt that may be imported into this country in the course of the next twelve months. And also,

The Senate have agreed to the resolution of this House for allowing to Elizabeth Newell 20*l.* for her present relief, and 10*l.* per annum during the term of three years, to be laid out by Walter Crockett and John Montgomery, gentlemen, for her support and maintenance. And also,

The Senate have agreed to the resolutions of this House for paying to James Newell, administrator of the estate of Samuel Newell, deceased, 58*l.* 15*s.* and to Southy Simpson 30*l.* 7*s.* 7*d.* halfpenny. And then he withdrew.

*Ordered*, That the late and present treasurer do lay their accounts before this House.

The orders of the day being read,

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will to-morrow, resolve itself into a committee of the whole House, upon the bill “to repeal so much of an act, entitled ‘an act, to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,’ as suspends the collecting of taxes this present year.”

*Ordered*, That the Governor and Privy Council be desired to lay before this House an estimate of the probable expense of the army the ensuing year.

*Ordered*, That the commissioners of the navy be directed to lay before this House an estimate of the probable expense of the navy for the ensuing year.

The House then proceeded to take into consideration the amendments made by the Senate to the bill, entitled, “an act for regulating and disciplining the militia;” and the said amendments were read, and are as followeth, viz:

Page 1, line 10; after the word *in*, in the first place, insert *public*. After the word *works*, insert “and all colliers, founders and laborers, who actually reside at any other iron or lead works.” After the word *or*, insert *persons*. Leave out the word *inspectors*. Line 11, leave out the words *of tobacco*. Line 26, leave out the word *December*. Line 29, leave out the word *and* in the first place. Line 30, after the word *officer*, insert “for notifying the time and place whereof they shall have power to order so many of their sergeants as they shall think fit, to give notice to every person belonging to the company, of the time and place of such general or private muster, as the case may be; and if any sergeant, so appointed, shall fail in his duty, he shall forfeit and pay 40*s.* for every such failure.” Line 35, leave out the word *common*, and insert *good*. Line 42, after the word *sell*, insert *or concealed*. Line 43, after the word *seller*, insert *or concealer*. Line 48, after the word *arms*, insert “and if any persons concerned in selling or concealing such arms, shall be sued for the said penalty, and upon conviction and recovery shall fail to make pay-



ment, he shall suffer such corporal punishment as the court, before whom the recovery shall be, shall think fit, not exceeding thirty-nine lashes; and the lieutenant of any county may recover any arms so sold, concealed, or bought, contrary to this act, by action or petition, in detinue or trover, with costs." Line 50, after the word *sickness*, insert "or other legal disability or reasonable excuse."

Page 2, line 8; leave out the words *an adjutant*, and insert "one or more adjutants." Line 9, leave out the word *he*, and insert *who*. Line 11, after the word *year*, insert *each*. Line 28, after the word *pounds*, insert "every officer failing to furnish himself with one pound of powder shall forfeit and pay ten shillings, and the same for failing to furnish himself with four pounds of ball; and every soldier failing therein, shall likewise be liable for the same penalties."

Page 2, line 31; after the word *servant*, insert "or be compensated by farther service, to be ascertained by the county court." Line 43, after the word *county*, insert "or at or convenient to the place where the general muster shall be had." Line 44, after the word *muster*, insert "if fair, if not the next fair day."

Page 3, line 3; after the word *annexed*, insert "provided that no person shall be subject to the penalties hereby inflicted for the not providing or procuring the quantity of powder and ball required, who shall make appear to the court martial that he has used his best endeavors to procure such powder and ball, and hath not been able so to do." Line 34, after the word *insurrection*, insert "*And be it enacted*, that it shall and may be lawful for the chief officer of the militia in every county, and he is hereby required, some time before the 10th day of August, yearly, to appoint an officer, and so many men of the militia, as to him shall appear necessary, not exceeding four, once in every month, or oftener, if thereto required by such chief officer, to patrol and visit all negro quarters and other places suspected of entertaining unlawful assemblies of slaves, servants, or other disorderly persons, as aforesaid, unlawfully assembled, or any other strolling about from one plantation to another, without a pass from his or her master, mistress, or overseer, and to carry them before the next justice of the peace, who, if he shall see cause, is to order every such slave, servant, or stroller, or other disorderly person, as aforesaid, to receive any number of lashes, not exceeding twenty, on his or her bare back, well laid on. And in case one company of patrollers shall not be sufficient, to order more companies for the same service. And after every patrol the officer of each party shall return to the captain of the company whereunto he belongs, a report in writing, upon oath (which oath such captain is hereby empowered to administer,) of the names of those of his party who were upon duty, and of the proceedings in such patrol. And each captain shall, once in every month, deliver such patrol returns to the county lieutenant, or other chief commanding officer in his county, by whom they shall be certified and delivered to the next court martial; and if they shall adjudge the patrollers have performed their duty according to law, the chief officer shall certify the same to the county court, who, upon such certificates, are hereby empowered and required to levy fifteen pounds of tobacco, or two shillings and six pence, for every twelve hours each of them shall so patrol. And every commanding officer of the militia failing to appoint patrollers, according to the directions of this act, shall forfeit and pay the sum of fifty pounds; and every person appointed to patrol in pursuance of this act, and failing to do his duty, shall forfeit and pay the sum of twenty shillings for every such failure; which fines shall be laid by the court martial of the county, and shall be collected, accounted for, and appropriated, as is herein before directed, for the collecting, levying, accounting for, and appropriating, the several fines and penalties herein before laid."

Page 3, line 37; after the word *government*, insert "or to disqualify any militia officers heretofore appointed from acting by virtue of such commissions respectively; and provided also, that any court martial, which shall be held by virtue of this act, shall hear and determine any delinquency committed or done before the passing thereof, according to the laws in force at the time of the commission of the offence."

The 1st, 2d, 4th, 5th, 13th, 20th and 21st of the said amendments, being severally read a second time, were, upon the question severally put thereupon, disagreed by the House.

The 8th amendment being read a second time, the following amendment was proposed to be made thereunto:

To leave out the word *they*, and to insert the words "captains, or next commanding officers," instead thereof.

And the said amendment was, upon the question put thereupon, agreed to by the House.

And the question being put, that the House do agree with the Senate in the amendment so amended, It was resolved in the affirmative.

The 19th amendment being read a second time, the following amendment was proposed to be made thereunto:

To leave out the word *had*.

And the said amendment was, upon the question put thereupon, agreed to by the House.

And the question being put, that the House do agree with the Senate in the amendment so amended, It was resolved in the affirmative.

The rest of the amendments being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

Ordered, That Mr. Nicholas do carry the bill to the Senate, and acquaint them that this House doth disagree to the 1st, 2d, 4th, 5th, 13th, 20th, and 21st of the said amendments, by them proposed to the said bill, and have agreed to the 8th and 19th of the said amendments, with some amendments to the said amendments, to which amendments to the amendments, this House doth desire the concurrence of the Senate; and that this House hath agreed to the rest of the amendments.

The House proceeded to take into consideration the amendments made by the Senate to the bill, entitled, "an



act for adding part of the county of Charlotte to the county of Lunenburg;" and the said amendments were read, and are as followeth, viz:

After the word *Charlotte*, insert "and parish of Cornwall."

And after the word *Lunenburg*, add "and parish of Cumberland."

The said amendments being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Glenn, do carry the bill to the Senate, and acquaint them that this House hath agreed to the amendments made by them.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, June 5, 1777.

*Ordered*, That a message be sent to the Senate, desiring that they will give leave to Paul Carrington, Esq. one of their members, to attend this House, and be examined as a witness, touching the information against Lieut. Col. Haynes Morgan.

*Ordered*, That Mr. Starke do carry the message.

*Ordered*, That Mr. Banister, have leave to be absent from the service of this House till Monday se'nnight, and Messrs. Delony, and Smith, of Richmond, for the remainder of the Session.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have given leave to such of their members as have been desired to attend this House to be examined, touching the information against Lieut. Col. Haynes Morgan. And then he withdrew.

*Ordered*, That a message be sent to the Senate, acquainting them that this House are about to examine witnesses, touching the information against Lieut. Col. Haynes Morgan; and that the Senate, if they please, may come into the House, and hear the examination.

*Ordered*, That Mr. Starke do carry the message.

The Senate having come into the House, and being seated,

The House, according to order, proceeded to examine witnesses, touching the information against Lieut. Col. Haynes Morgan, the witnesses being sworn, and such of them as are members of the Senate, sitting in chairs placed for them near the clerk's table.

And after the examination was finished, the Senate and witnesses withdrew.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate are ready to proceed, by joint ballot with this House, to the choice of two colonels in the room of Philip Love and William Grayson, Esquires. And then he withdrew.

The order of the day being read, for the House to proceed, by joint ballot with the Senate, to the choice of two colonels in the room of Philip Love and William Grayson, Esquires,

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed colonel of the first regiment of the regular troops of this Commonwealth, in the room of William Grayson, Esq.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms, attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them, to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Fitzhugh, Carter, Alexander and Meriwether; and they are to withdraw immediately.

*Ordered*, That Mr. Fitzhugh do acquaint the Senate therewith.

Mr. Fitzhugh reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Haynes Morgan, Esq.	60
George Gibson, Esq.	38
Thomas Blackburn, Esq.	6

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed colonel of the third regiment of the regular troops of this Commonwealth, in the room of Philip Love, Esq.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and, jointly with them, to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Fitzhugh, Carter, Alexander and Meriwether; and they are to withdraw immediately.

*Ordered*, That Mr. Fitzhugh do acquaint the Senate therewith.

Mr. Fitzhugh reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For George Gibson, Esq.

52

Thomas Blackburn, Esq.

50

*Resolved*, That the said Haynes Morgan, be appointed colonel of the first regiment, and the said George Gibson, colonel of the third regiment of the regular troops of this Commonwealth; they having been respectively chosen to those offices by joint ballot of both Houses of Assembly.

*Ordered*, That Mr. Fitzhugh do carry the said resolution to the Senate, and desire their concurrence. *621.59.*

Mr. Harvie reported, from the committee to whom the Governor's letter, with the memorial of James Hunter, and other papers, were referred, that the committee had examined the said letter, memorial, and other papers, and come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee*, That the subject matter contained in the said memorial is reasonable, and merits every encouragement of the legislature.

*Resolved, as the opinion of this committee*, That the memorialist ought to be allowed to locate 200 acres of land of the Acakeek tract, lying in Stafford county, including the old furnace seat and dam; and if a sufficient body of iron ore is not discovered therein, that he be at liberty to explore and open any other unimproved lands belonging to the said furnace tract, and upon discovering a sufficient body of ore, to locate ten acres thereof, in case the proprietors, or their agent, shall not, within a reasonable time, open them, paying to the proprietors such valuation, as well of the 200 as of the 10 acres, as shall be made by a jury of twelve good and lawful freeholders, upon oath; and that two commissioners be appointed in behalf of the proprietors to attend the survey and valuation of the said lands.

*Resolved, as the opinion of this committee*, That if a body of iron ore is not discovered on the Acakeek tract, the memorialist ought to be allowed to explore and open, for the discovery of iron ore, any other unimproved lands within the circuit of 30 miles, in conjunction and with the concurrence of two commissioners to be appointed for that purpose, paying to the proprietors any damage they may sustain thereby, and making report of their discoveries to the next session of Assembly.

*Resolved, as the opinion of this committee*, That half an acre of ground for a landing, situate on some convenient place on Aquia, or Potowmac creek, ought to be allotted to the memorialist, upon his paying such valuation for the same as shall be made by a jury of twelve good and lawful freeholders upon oath.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That a bill be brought in pursuant to the said resolutions; and that Messrs. Nicholas, Harvie, Zane, Adams, Jones, Abraham Hite, Starke, Henry, Jett, Carter, Clapham and Bullitt, do prepare and bring in the same.

Mr. Lee reported to the House, that the committee appointed, had, according to order, waited on the Governor, and notified to him his appointment, and that he was pleased to return the following answer:

GENTLEMEN,—The signal honour conferred on me by the General Assembly, in their choice of me to be Governor of this Commonwealth, demands my best acknowledgments, which I beg the favor of you to convey to them in the most acceptable manner.

I shall execute the duties of that high station, to which I am again called by the favor of my fellow citizens, according to the best of my abilities, and I shall rely upon the candor and wisdom of the Assembly to excuse and supply my defects. The good of the Commonwealth shall be the only object of my pursuit, and I shall measure my happiness according to the success which shall attend my endeavors to establish the public liberty. I beg to be presented to the Assembly, and that they and you will be assured that I am, with every sentiment of the highest regard, their and your most obedient and very humble servant,

P. HENRY.

*Ordered*, That Mr. Mason be added to the committee appointed to draught and prepare instructions for the delegates appointed to represent this Commonwealth in General Congress.

The late treasurer, according to order, laid his accounts before the House.

*Ordered*, That a committee be appointed to examine the said accounts.

And a committee was appointed, of Messrs. Mason, Fleming, Henry, Bullitt, Pickett, Jones, Banister, Starke, Alexander, Adams, Jett, Davenport, Harvie, Lee, Riddick and Cooper.

It being represented to the House, by George Webb, Esq. present treasurer, and Robert Carter Nicholas, Esq.

late treasurer of this Commonwealth, that having very lately discovered that some wicked persons have imposed on the publick treasury by counterfeiting various warrants under the hand of the Governor, and also sundry certificates under the hands of the auditors of public accounts, to a very considerable amount, they judged it their indispensable duty to take the earliest opportunity of laying the matter before this honorable House; that they never had the most distant reason to suspect such daring attempts, and if they had entertained any suspicion, they are of opinion they hardly should have been able, in the course and almost constant hurry of business, from the similarity of the handwriting, in the body of many genuine warrants, to such counterfeits to the Governor's and auditor's hands, to have detected the forgeries, which have now been discovered only by accident; upon which they prayed the advice and directions of the House.

*Ordered*, That it be an instruction to the committee appointed to examine the said treasurer's accounts, strictly to inquire into and examine the nature of such forgeries, when and in what manner the same were imposed on the treasury, as is alleged; that, in order to a thorough investigation of this matter, they have power to send for persons, books, and papers, and examine such persons, on oath, as they may think fit; and that they report the case, with their opinion thereupon, fully to the House.

The several other orders of the day being read,

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, upon the state of the Commonwealth.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, upon the petition of Aldermen, Common Councilmen, and other inhabitants of the borough of Norfolk.

*Resolved*, That this House will to-morrow resolve itself into a committee of the whole House, to consider of the bill "to repeal so much of an act entitled 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

*Resolved*, That this House will on Monday next resolve itself into a committee of the whole House, to consider of the bill "for establishing a loan office, for borrowing money for the use of the United States, and appointing a commissioner for superintending the same."

*Resolved*, That this House will on Monday next resolve itself into a committee of the whole House, to consider of the bill "to repeal an act of Assembly entitled 'an act for regulating the inoculation of the smallpox within this colony.'"

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate do agree to the amendments made to the 8th and 19th amendments made by the Senate to the bill entitled "an act for regulating and disciplining the militia." They do insist upon the 4th, 5th and 20th amendments, which have been disagreed to by this House; and do recede from their 1st, 2d, and 21st amendments, which have been disagreed to by this House. And then he withdrew.

Mr. Curle reported, from the committee to whom the petition of the freeholders and late inhabitants of the borough of Norfolk was referred, that the committee had examined the said petition, and come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee*, That the said petition is reasonable, and that commissioners ought to be appointed to lay out the town of Norfolk in a more regular and convenient manner, and to settle what compensation shall be made to those who become sufferers thereby.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That a bill be brought in pursuant to the said resolution; and that Messrs. Curle, Wilson and Godfrey, do prepare and bring in the same.

And then the House adjourned till to-morrow morning, 10 o'clock.

FRIDAY, June 6, 1777.

*Ordered*, That Mr. Fulham have leave to be absent from the service of this House till Tuesday next, Mr. Daniel till Monday se'night next, and Mr. Thomas Hite for the remainder of the session.

The order of the day being read, for the House to resolve itself into a committee of the whole House upon the petition of the Mayor, Aldermen, Common Councilmen, and other inhabitants of the borough of Norfolk,

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that the committee had come to several resolutions, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, that it is the opinion of this committee*, That commissioners be appointed to ascertain the number, and cause estimates to be made, of the houses and goods in the borough of Norfolk, and its suburbs, which were destroyed in January, 1776, distinguishing between such as were destroyed before and such as were destroyed after the 15th



of that month, and also to inquire whether any of the owners thereof were enemies of America, and to report their proceedings, with the examinations of witnesses, to be taken in writing, and any matters they may think fit, to the General Assembly.

*Resolved, that it is the opinion of this committee,* That reparation ought to be made by the public to such inhabitants of the borough of Norfolk, who were friends to America, whose houses were destroyed by the forces under the command of Col. Howe, by his orders or permission, in the month of January, 1776, in order to prevent the enemy from taking possession thereof.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That a bill be brought in pursuant to the first resolution of the committee; and that Messrs. Nicholas, Curle, Wilson, Godfrey, Robinson, Thoroughgood, Banister and Fleming, do prepare and bring in the same.

*Ordered,* That Mr. Nicholas do carry the second resolution of the committee to the Senate, and desire their concurrence.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, empowering the Governor and Council to appoint an assistant clerk, with some amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

The several orders of the day being read,

*Resolved,* That this House will to-morrow resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved,* That this House will to-morrow resolve itself into a committee of the whole House, to consider of the bill, "to repeal so much of an act entitled, 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

*Ordered,* That the bill "for establishing a General Court, and Courts of Assize," be read the first time to-morrow.

*Resolved,* That this House will on Tuesday next resolve itself into a committee of the whole House, on the memorial of the Rector and Visitors of the College of William and Mary.

*Resolved,* That this House will on Tuesday next resolve itself into a committee of the whole House, on the memorial of the trustees of the academy of Hampden Sidney, in the county of Prince Edward.

*Resolved,* That this House will on Thursday next resolve itself into a committee of the whole House, to consider of the bill, "to discourage desertion, and to punish persons harboring or entertaining deserters."

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, June 7, 1777.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House for paying to William McCue 20*l.* for his present relief, and 10*l.* per annum during life; to Thomas Philips 1*l.* 15*s.*, to John Gilmore 1*l.* 10*s.*, to John Moore 2*l.* 5*s.*, and to James Rollin 1*l.* 14*s.* 6*d.* And then he withdrew.

Mr. Starke reported, from the committee to whom it was referred to examine into and report the progress of the several salt works since the last session of Assembly, that the committee had, according to order, had the same under their consideration, and had agreed upon a report thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

Your committee find, that the salt works in the county of Northumberland, under the direction of Mr. Parker, and those in the counties of Isle of Wight and Nansemond, under the direction of Mr. Wills, are complete, and fit for the evaporation of salt water and making salt.

Your committee farther find, that on the salt works in the county of Gloucester, under the direction of Mr. Hobday, the farther sum of 28*l.* 1*s.* 2*d.* halfpenny hath been expended, and that the sum of 151*l.* 18*s.* 10*d.* halfpenny will yet be required to complete the same.

Your committee also find, that the sum of 14*l.* hath been expended on the works under the direction of Mr. Carey, in the county of Elizabeth City, and that the farther sum of 386*l.* will yet be requisite for their completion.

Your committee likewise find, that the farther sum of 320*l.* 2*s.* 5*d.* hath been expended on the works under the direction of Mr. Hewett, in the county of York, but that it appearing impossible to make a foundation hard enough for the purpose of making salt, owing to the very sandy nature of the soil, they are therefore of opinion that no farther sums of money ought to be expended thereon.

Your committee also find, that the farther sum of 211*l.* will yet be wanted to complete the works under the direction of Mr. Simpson, in the county of Accomack.

Your committee are of opinion, that for the greater certainty and expedition in supplying the inhabitants with that necessary article, it would be advisable to procure pans for each of the said works, the expense of which they

are informed would not be more than 2,732*l.*, expenses of setting up included ; but that until the pans can be prepared, fair and full experiments ought to be made by evaporation.

*Ordered*, That leave be given to bring in a bill "for encouraging the making of salt," and that the committee appointed to examine into the progress of the salt works since the last session of Assembly do prepare and bring in the same.

*Ordered*, That the report of the said committee, this day made, be referred to the gentlemen appointed to prepare and bring in the said bill.

*Ordered*, That leave be given to bring in a bill "to enable the vestry of the parish of Botetourt to dispose of their glebe, and to comply with their contract with Thomas Madison ;" and that Messrs. Lockhart, Starke and Talbot, do prepare and bring in the same.

Mr. Henry reported, from the committee of Propositions and Grievances, that the committee had examined the matters of several petitions to them referred, and had directed him to report the same, together with the resolutions of the committee thereupon, to the House ; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz :

It appears to your committee, from a codicil annexed to the last will and testament of John Barr, deceased, duly proved and recorded in the county court of Northumberland, that the testator made the following devise : "I claim no right, title, or interest, of, in, or to, my negro woman Rachel, and her child Rachel, and hereby order that the same shall in no wise for ever hereafter be considered as part of my estate ; and I do hereby give and bequeath unto my brother Zachariah twenty five acres of land joining Jameson's, Palmer's and Hurst's land, with as much of my estate as will build a house thereon, in trust, to and for the benefit, sole use, and profit, of the said negro woman Rachel, and her child Rachel, and their heirs forever."

*Resolved*, as the opinion of this committee, That the petition of Rachel, in behalf of herself, and her child Rachel, praying to be freed according to the will of John Barr, deceased, is reasonable.

*Resolved*, as the opinion of this committee, That the petition of divers inhabitants of the county of Northumberland, praying that the warehouses for the reception of tobacco on each side of Wicomico river, at present under one inspection, may be separate and distinct inspections, is reasonable.

*Resolved*, as the opinion of this committee, That the petition of divers inhabitants of the county of Sussex, praying that the owners of mills on Nottoway river may be compelled to make openings through the dams for the passage of fish, be rejected.

*Resolved*, as the opinion of this committee, That so much of the petition of divers inhabitants of the counties of Lunenburg and Mecklenburg as prays that all owners of hedges or stone stops across Meherrin river, below the fork called South Meherrin, may be compelled to leave an opening or sluice through the same, in the deepest part thereof, at least twelve feet wide, is reasonable.

*Resolved*, as the opinion of this committee, That such other parts of the said petition as prays that the owners of mills on the said Meherrin river may be compelled to fix draw gates at least twelve feet wide in the deepest part of the dam, to be kept open from the 10th of February to the 10th of May, annually, be rejected.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That a bill, or bills, be brought in, pursuant to the 1st and 4th resolutions of the committee, and that the said committee do prepare and bring in the same.

*Ordered*, That it be an instruction to the committee for Courts of Justice, who are appointed to prepare and bring in a bill "for farther continuing and amending an act, entitled 'an act, for establishing several public warehouses for the reception of tobacco,' and other purposes," that they have power to receive a clause, or clauses, pursuant to the 2d resolution of the committee.

Mr. Henry reported, from the committee of Propositions and Grievances, that the committee had examined the memorial of Charles Lynch, to them referred, and had come to several resolutions thereupon, which they had directed him to report to the House ; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz :

*Resolved*, as the opinion of this committee, That the memorialist ought to pay hire for the several slaves sent to his saltpetre works, by order of Convention, at the following rates per annum, to wit : For Jack, belonging to the estate of Andrew Sprowle, deceased, 7*l.* ; for Wigg, belonging to Charles Stewart, 10*l.* ; for George, belonging to John Saunders, 7*l.* ; for Sue, belonging to ditto, 4*l.* ; for James, belonging to Charles Mifflin, 10*l.* ; for Aberdeen, belonging to John Goodrich, 10*l.* ; for Lucy, belonging to the estate of John Dunn, deceased, 3*l.* ; for Cheney, belonging to Anthony Warwick, 5*l.* ; and for Tom, belonging to Miss Keeling, 10*l.* ; to commence from the first day of July last, the day on which they arrived at the said works, and that he be allowed to keep them at the above rates till the last day of November, 1778, unless they are before removed by order of the General Assembly, or Executive power.

*Resolved*, as the opinion of this committee, That all the powder which may be manufactured by the memorialist before the last day of December, 1778, ought to be taken for the public use, and that he be allowed at the rate of 6*s.* per pound for the same.

The 1st resolution of the committee being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That the farther consideration of the said report be adjourned until Monday next.

*Ordered*, That Mr. King have leave to be absent from the service of this House until Wednesday next.

*Resolved*, That this House will, upon the third Monday in the next session of Assembly, take under consideration the memorial of Richard Henderson, Esq. and Company, relative to their purchase of lands from the Cherokee Indians.

*Resolved*, That William Preston, Evan Shelby, and William Edmondson, be added to the commissioners already appointed for taking depositions relative to the said claim, as well on behalf of the Commonwealth, as the said Henderson and Company, and that they proceed to take the depositions of such witnesses as shall be offered on either side, and report the same.

*Ordered*, That Mr. Bullitt do carry the resolutions to the Senate, and desire their concurrence.

Mr. Henry, from the committee of Propositions and Grievances, reported, that the committee had examined the matter of the petition of Burr Harrison, to them referred, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee*, That commissioners ought to be appointed, to take the depositions of witnesses in this State, respecting the subject matter of the petition, and that depositions of any other witnesses be taken before two magistrates of the State in which they may respectively happen to be.

*Resolved, as the opinion of this committee*, That the farther consideration of the said petition be deferred till the next session of Assembly.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That John Campbell, John Smallman and Edward Ward, or any two of them be appointed commissioners to take depositions, pursuant to the first resolution; and they are to have power to send for persons, papers, and records, for their information.

*Ordered*, That Mr. Henry do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Henry, from the committee of Propositions and Grievances, reported, that the committee had examined the matters of several petitions to them referred, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee*, That the petition of divers inhabitants of the county of Essex, praying that the inspection of tobacco at Bowler's warehouse, in the said county, may be established, be rejected.

*Resolved, as the opinion of this committee*, That the petition of John Cooper, of the county of Norfolk, praying that compensation may be made him out of the estate of Andrew Sprowle, deceased, for a negro slave named Sue, valued to 55l. the property of the petitioner, detained by the said Sprowle in his life-time, and never restored, is reasonable.

*Ordered*, That Mr. Henry do carry the last resolution to the Senate, and desire their concurrence.

Mr. Lee reported, from the committee of Public Claims, to whom it was referred, to examine the account of sales of the vessels, slaves, and appurtenances, taken by Capt. Taylor, and sold by a resolution of Convention, and also the several claims of Samuel Todd, John Lindsay and Paul Micou, and to make a reasonable allowance to the commissioners for their trouble, that the committee had examined the same, and had directed him to report the same, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was again read, and is as followeth, viz:

Your committee take leave, for the clearer elucidation of the several matters, to refer to a general state hereto annexed:

The sale of the sloop Olive, together with her standing rigging, anchor, and cables, amounting to £152 0 0

Allowed to the commissioners for their trouble, and the expense of a crier, which is 5s. £7 12

To Paul Micou, his account,	-	-	-	1 10	
					9 2 0

					142 18 0
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To Henry Lyburn, for his moiety of the said sloop,	-	-	-	-	71 9 0
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					71 9
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To James Dunlop one 32d part of £142 18 0	-	-	-	-	4 9 4
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					66 19 8
--	--	--	--	--	---------

To be paid to the Treasurer two 3d parts of £66 19 8	-	-	-	-	44 13 1
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					22 6 7
--	--	--	--	--	--------

To the captors, the remaining one 3d part,	-	-	-	-	22 6 7
--	---	---	---	---	--------

The sale of the sloops Lark, Speedwell, and Susannah, together with their tackle, apparel, and furniture, slave, and slaves, to them respectively belonging, amounting to					£646 0 0
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Allowed to the commissioners for their trouble, and the expenses of a crier, which is 1*l.* 10*s.* £ 32 6 0

To James Lindsay, as per account, - - - 42 3 6

To be paid to the Treasurer, two 3d parts of - - - 381 0 4

To the captors, the remaining one 3d part, - - - 190 10 2

£ 646 0 0

The said report being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the said report to the Senate, and desire their concurrence.

Mr. Lee reported, from the committee of Public Claims, to whom the claim of John Keeney was referred, that the committee had examined the matter of the said claim, and had directed him to report the same, as it appeared to them, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read and is as followeth, viz:

Your committee find, that a field of corn growing on the lands of the said John Keeney, whereon it was thought necessary to erect a fort, was cut down and destroyed by the direction of the commanding officer, which was previously valued to the sum of 10*l.* 12*s.* 6*d.* Your committee farther find, that the said John Keeney sustained other damages, by means of the said forts being erected on his lands to the amount of 7*l.* Whereupon your committee came to the following resolution:

*Resolved*, as the opinion of this committee, That the said claim is reasonable, and that the sum of 17*l.* 12*s.* 6*d.* ought to be allowed and paid to the said John Keeney, sen. by the public, for the damages aforesaid.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

Mr. Lee reported, from the committee of Public Claims, that the committee had had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, as the opinion of this committee, That the petition of Giles Sydnor, an ensign in the service of the United States, praying to be reimbursed a sum of money received of the treasurer of this State, for the purpose of enlisting soldiers into their service, and of which he was robbed, be rejected.

*Resolved*, as the opinion of this committee, That the petition of Arthur Blackburn, a soldier in Captain William Cocke's company of militia, who, among many others, was ordered to protect the frontiers of Virginia, and to assist the inhabitants in preserving their crops from the ravages of the Indians, and whilst on duty received a dangerous wound in his side, and was twice scalped by the savages, by which he is unable to support himself, is reasonable, and that the sum of 20*l.* ought to be allowed the petitioner for his present relief, and to reimburse him the expenses of a surgeon, also the farther sum of 6*l.* per annum during life.

*Resolved*, as the opinion of this committee, That the petition of Jacob Miles, a soldier in captain Richard Meade's company, who, from the fatigues and hardships experienced in the campaign of 1775 at Norfolk, was seized with a violent disorder which settled in his eyes, and thereby totally deprived him of sight, which (in the opinion of two doctors who attended him) he never will recover, is reasonable, and that the sum of 30*l.* ought to be allowed the petitioner for his present relief, and to reimburse the expenses incurred, also the farther sum of 15*l.* per annum, till restored to his sight.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the 2d and 3d resolutions to the Senate, and desire their concurrence.

Mr. Henry presented to the House, according to order, a bill "for relief of certain parishes against expenses which may be incurred by the poor;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Henry presented to the House, according to order, a bill "to establish several new ferries, and for discontinuing others;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Curle reported, from the committee to whom the bill "for regulating and disciplining the militias of the city of Williamsburg and borough of Norfolk," was committed, that the committee had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one, and upon the question put thereupon, were agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

*Ordered*, That a committee be appointed to consider of and report what will be a proper salary for the public printer.

And a committee was appointed, of Messrs. Starke, Lee, Nicholas, Mason, James Speed, Webb, Prentis and Kello.

The several orders of the day being read,

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to con-

der of the bill "to repeal so much of an act entitled 'an act for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

*Ordered*, That the bill "for establishing a General Court, and Courts of Assize," be read the first time on the 10th day of August next.

*Resolved*, That Paul Carrington, William Hubbard, William Booker, John Morton, James Speed, and Mackerness Goode, gentlemen, or any three of them, be appointed commissioners to inquire into the state of the arms lodged in the public magazine built during the last war in the county of Lunenburg, under the direction of Col. Clement Read, deceased, and make their report to the next session of Assembly; and they are to have power to send for persons, papers, and records, for their information.

*Ordered*, That Mr. Speed do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That any committee, or commissioners, appointed by this House for taking depositions, have power to send for persons, papers, and records, for their information.

And then the House adjourned till Monday morning, 10 o'clock.

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### MONDAY, June 9, 1777.

Several other members, having taken the oath appointed by law, took their seats in the House.

*Ordered*, That Mr. Griffin be added to the committee appointed to prepare and bring in a bill pursuant to the resolutions of the committee of the whole House, upon the state of the Commonwealth.

Mr. Starke presented to the House, according to order, a bill "to confirm the Kentucky election;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

*Ordered*, That the committee of Public Claims be discharged from proceeding upon the several petitions of John Ellis, James Taylor, Thomas Tomer, and William Ballard, to them referred, and that the said petitions be transferred to the committee of the whole House, upon the state of the Commonwealth.

Mr. Starke reported, from the committee of Privileges and Elections, that the committee had had under their farther consideration a petition of divers inhabitants, freeholders of the county of Orange, complaining of an undue election and return of Mr. Charles Porter to serve as a delegate in this present General Assembly for the said county, to them referred, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee*, That the said petition be rejected, the petitioners having failed in their proof to support the allegations thereof.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

The House, according to order, resolved itself into a committee of the whole House, upon the bill "to repeal so much of an act entitled 'an act for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that they had made some progress in the bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider farther of the said bill.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have agreed to the accounts stated of the sales of the vessels, slaves, and appurtenances, taken by Capt. Taylor, and also to the several claims of Samuel Todd, John Lindsay and Paul Micou, therein mentioned, and to the allowance made the commissioners for their trouble, with an amendment, to which amendment the Senate desire the concurrence of this House. And then he withdrew.

The House proceeded to take the said amendment into consideration.

And the said amendment was read, and is as followeth:

Account No. 2, line 7, leave out "James," and insert "John."

The said amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the said account to the Senate, and inform them this House hath agreed to the amendment made by them.

A bill "for appointing commissioners of Oyer and Terminer for the trial of the criminals now in the public jail," was read a second time.

*Resolved*, That the bill be committed to Messrs. Fleming, Starke, Nicholas and Prentis.

The House proceeded to take into consideration the amendments made by the Senate to the resolution for paying to William Christian 57*l.* 7*s.* 6*d.* disagreed to by this House, and insisted on by the Senate.

*Resolved*, That this House doth recede from their disagreement to the said amendments.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and acquaint them that this House hath receded from their disagreement to the said amendments.

*Ordered*, That the treasurer be directed to furnish each of the door-keepers of the Senate with a decent suit of clothes.

*Ordered*, That Mr. Braxton do carry the said order to the Senate, and desire their concurrence.

*Ordered*, That the treasurer be directed to procure proper robes for the speakers, and gowns for the clerks, of the General Assembly, and also a mace for the use of the Senate.

*Ordered*, That Mr. Braxton do carry the order to the Senate, and desire their concurrence.

Mr. Starke reported from the committee to whom the petitions of Benjamin Peck and James Arbuckle were referred, that the committee had had the said petitions under their consideration, and had come to several resolutions thereupon, which the committee had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

*Resolved, as the opinion of this committee*, That the petition of Benjamin Peck, praying to be allowed for a boat, the property of the petitioner, which was used as a ferry boat by the negroes employed in the salt works in the county of Accomack, in their passage to and from their respective homes, whereby there was a considerable saving to the country, and which afterwards went adrift, and was lost, and no satisfaction made, is reasonable, and that the petitioner ought to be allowed the sum of 6*l.* the value of his said boat.

*Resolved, as the opinion of this committee*, That the petition of James Arbuckle, praying to be allowed for his expense and trouble in fixing on a place, and for his management in erecting thereon the salt works, in the county of Accomack, and providing materials agreeable to an appointment of last Convention, is reasonable, and that the said petitioner ought to be allowed the sum of 33*l.* 7*s.* 3*d.* for the same.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Starke do carry the resolutions to the Senate, and desire their concurrence.

The House proceeded to take into their consideration the 4th, 5th and 20th amendments, made by the Senate to the bill entitled, "an act for regulating and disciplining the militia," which were disagreed to by this House, and insisted on by the Senate.

*Ordered*, That a message be sent to the Senate, to acquaint them that this House do desire a free conference with the Senate upon the subject matter of the 4th, 5th and 20th amendments made by them to the bill entitled "an act for regulating and disciplining the militia;" and that Mr. Bullitt do carry the said message.

The House proceeded to take into consideration the amendments made by the Senate to the resolution empowering the Governor and Council to appoint an assistant clerk; and the said amendments were read and are as followeth viz:

Line 2d, after the word "Board," insert, "for the space of four months, to bring up the business now behind." At the end of the resolution add, "in proportion to the time he acts; that after the end of that time, the salary be augmented to 200*l.* per annum, to enable the Governor and Council to employ a man of abilities capable of performing the whole business."

The said amendments being read a second time, were, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and inform them that this House hath agreed to the amendments made by them to the said resolution.

Mr. Bullitt presented to the House, according to order, a bill "to establish a mode for the speedy and summary recovery of such sums of money as are or may become due to the public, and for enforcing all contracts entered into with government;" and the same was received, and read the first time.

A bill "to prevent houses and other private property from being taken for the use of the soldiery, and to oblige quartermasters to furnish barracks or tents for such officers and soldiers as may be thought necessary for any station," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, on the said bill.

*Resolved*, That the Governor, with the advice of the Council, be desired to fill up the vacancies of field and other officers which are or may happen in the three battalions belonging to this Commonwealth; the field officers and captains to be preferred according to seniority in the whole line, the subalterns in the particular battalions to which they belong.

*Ordered*, That Mr. Bullitt do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That Mr. Arbuckle be added to the committee appointed to examine the treasurer's accounts.

The several other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to repeal an act of Assembly for regulating the inoculation of the smallpox within this colony."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for establishing a loan office for borrowing money for the use of the United States, and appointing a commissioner to superintend the same."



*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Ordered*, That the farther consideration of the report of the committee of Propositions and Grievances upon the memorial of Charles Lynch be farther adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, June 10, 1777.

Mr. Lee reported, from the committee of Public Claims, to whom the petition of Capt. Thomas Rowland, in behalf of himself and company, was referred, that the committee had examined the matter thereof, and had directed him to report the same, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz :

Your committee find, that the said Rowland received orders from Col. William Fleming, lieutenant of Botetourt county, to take horses, and proceed with his company, as speedily as possible, to the protection of the inhabitants on the frontiers of Fincastle county, who were invaded by the enemy; that the reason of the said Fleming's directing them to go on horseback was to expedite their march, lest they should not otherwise be able to render that timely assistance to the said inhabitants which their distressed situation so earnestly required. Whereupon your committee came to the following resolution :

*Resolved*, as the opinion of this committee, That the said petition is reasonable, and that the said Thomas Rowland and company ought, severally, to be allowed for the service of their horses as follows, viz :

Thomas Rowland, for 17 days, at 1s. 3d. per day,	£1 1 3
James Robinson, Henry Cartmill, James Alcom, Martin Baker, George Huchinson, John Wood, Rev. Adam Smith, Thomas Bowyer, William Astin, James Leatherdale, William Leatherdale, John Crawford, Robert Woods, David Wallace, Edward Gulliford, James Bryant, Josiah Bryant, William Bryant, John M'Farrin, Robert Fenley, Jacob Kimerland, Elijah Vinsant, Robert Birdwell, John Moor, Thomas Howell, Thomas Eagnew and Samuel Blair, the same, 11. 1s. 3d. each,	28 13 9
Isaac Richardson, David Harbinson, James Nicholas, Jonathan Wood, William Crawford, Joseph Titus, William Kyles, William Ritchey, Martin M'Farrin, Joseph Kyles, James Espey, Samuel M'Clure, and Samuel M'Farran, 15 days each, 18s. 9d.	12 3 9
Patrick Lockhart, George Rutledge, John Mills, jun. William Calbert, Henry Smith, Edward Carbin, James Gaunt, Samuel M'Roberts, Joseph Carrol, Thomas Peage, John Jones, Stephen Hoalston, Henry Walker, William Henry, John Burks, George Givens, Thomas Arbuckle, James Cloyd, David Lawrence, Isaac Lawrence, Patrick Lawrence, William Wills, John Fragor, James M'Cuown and William Ross, 14 days each, 17s. 6d.	21 17 6
	£63 16 3

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the Governor be empowered, with the advice of the Privy Council, to suffer the persons who have agreed to take their passage to Great Britain, in the ship Albion, now in the hands of the enemy, to go on board any other vessel, or either of the British ships of war in the bay, as shall be most convenient to them, and proceed on their voyage, with their necessary provisions and stores, under the same regulations on which they were to have embarked, on board the ship Albion.

*Ordered*, That Mr. Harvie, do carry the resolutions to the Senate, and desire their concurrence.

The Speaker laid before the House a letter from the Governor, enclosing an estimate of the probable expenses of the army for the ensuing year.

And the said letter was read.

*Ordered*, That the said letter and estimate do lie on the table.

Mr. Braxton presented to the House, according to order, a bill "for establishing a public insurance office in this Commonwealth;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

*Ordered*, That it be an instruction to the committee appointed to examine the late treasurer's accounts, that they do examine the account between the administrators of John Robinson, Esq. deceased, and the public; and that they do report to the House, what shall appear to be the balance due thereon.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, appointing Haynes Morgan, Esquire, colonel of the first regiment, and George Gibson, Esq. colonel of the third regiment of the regular troops of this Commonwealth. And also,

The Senate have agreed to the bill "for farther suspending the payment of the salaries heretofore given to the clergy of the church of England." And also,

The Senate have agreed to the resolutions of this House for appointing the third Monday in the next session of Assembly for hearing the memorial of Richard Henderson, Esq. and Company; and for adding other commissioners to those already appointed for taking depositions relative thereto. And also,

The Senate have agreed to the resolution respecting the public arms in the county of Charlotte; with an amendment, to which amendment the Senate desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate doth agree to the free conference with this House, as this House doth desire. And then he withdrew.

*Resolved*, That Messrs. Bullitt, Braxton, Fleming, Starke, Talbot, Harvie, Speed and Nicholas, do manage the conference.

A message from the Senate by Mr. Lee :

MR. SPEAKER,—The Senate have appointed four of their members, who are now ready in the conference chamber, to meet the managers appointed by this House. And then he withdrew.

And the managers went up to the conference accordingly; and being returned,

Mr. Bullitt reported, from the conference, that the managers had attended the Senate, and had heard their reasons for insisting on the 4th, 5th, and 20th amendments to the bill entitled "an act for regulating and disciplining the militia," and had freely discussed the subject matter thereof.

*Resolved*, That this House doth recede from their disagreement to the said 4th and 5th amendments.

*Resolved*, That this House doth insist on their disagreement to the said 20th amendment.

*Ordered*, That a message be sent to the Senate, to acquaint them that this House doth recede from their disagreement to the said 4th and 5th amendments by them proposed to the said bill, but do insist upon their disagreement to the said 20th amendment, and doth desire the Senate will pass the same without the said amendment.

*Resolved*, That the committee of Propositions and Grievances do inquire into the conduct of Mr. Archibald Govan, who hath been certified to the Governor and Council as a person described by the resolution of the last Assembly respecting the natives of Great Britain.

The House proceeded to take into consideration the amendments made by the Senate to the bill entitled "an act for providing against invasions and insurrections;" and the same were read, and are as followeth, viz :

Page 1, line 22; leave out the word "urging," and insert "urgent;" line 24, leave out the words "not exceeding three thirds;" line 25, leave out the words "of the said commanding officers, if he thinks," and insert "officer thinking;" line 27, after the word "captains," insert "or of a field officer and five captains at the least;" line 49, after the word "than," insert "twenty, nor less than."

Page 2, line 1; after the word "than," insert "thirty, nor under;" leave out the word "five;" line 2, leave out the word "forty," and insert "fifty;" leave out the word "fifty," and insert "sixty-eight;" line 3, leave out from the word "serjeants" to the letter "a" in the fourth line, and insert "and if not more than one hundred and fifty, nor less than one hundred, a major shall command. If more than one hundred and fifty, and not exceeding two hundred and fifty, a lieutenant colonel shall command, and have under him a major, with the proper number of captains and other officers. A colonel to command any number of men not exceeding five hundred, nor under two hundred and fifty. A county lieutenant to command any number of men above five hundred, and not exceeding a battalion;" line 36, after "Princess Anne" insert "Norfolk;" line 37, leave out the word "county," and insert "of the former counties, and in the two latter not more than ten men;" line 40, after the word "county," insert "and the lieutenant, or next commanding officer, of the several counties on the western frontier, with the like permission, shall be empowered to appoint any number of proper persons to act as scouts for discovering the approach of the Indians, or any other enemy on the frontiers, who, on such discovery, shall immediately give notice thereof to some militia officer, of the county;" line 43, after the word "look outs," insert "or scouts."

Page 3, line 11; leave out from the word "month" to the word "such" in the 12th line. Line 12, after the word "martial," insert "which the commanding officer is hereby empowered to order." Line 14, after the word "officer," insert "provided two or more companies, without a field officer, should be called out to duty, the senior officer may appoint a court martial, to consist of one captain, and three or more commissioned officers, whose sentence, not extending to amercement or imprisonment, being confirmed by the commanding officer, not being a member of the court, shall be put in execution." Line 21, after the word "officer," insert "and such clerk shall be paid such compensation for his services as shall be judged reasonable by the court martial, out of the fines imposed by this act; the fines to be collected by the sheriff, as ordered in the militia law, except such as can be retained out of the pay of the delinquent." Line 33, after the word "reasonable," insert "the commanding officer of any detachment of militia drawn out into actual service shall, if necessary, appoint a commissary or contractor to procure provisions for the said detachment. Such commissary, upon complaint to a court martial, to be composed of the officers of the corps, may, by judgment of such court martial, be removed for misconduct. Every commissary or contractor appointed by virtue of this act shall obtain a certificate of his service from the commanding officer of the detachment for which he served, on producing which to the Governor and Council he shall be entitled to such reward as they think fit." Line 39, leave out from the word "that" to the word "county" inclusive; "each" in the 40th line.

The 13th amendment being read, the following amendment was proposed to be made thereunto:

After the word "persons" to insert the words "not exceeding ten, in any one county."



And the same was, upon the question put thereupon, agreed to by the House.

The 18th amendment being read a second time, was, upon the question put thereupon, disagreed to by the House.

The rest of the amendments being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and acquaint them that this House doth agree to the 13th of the said amendments by them proposed to the said bill, with an amendment to the said 13th amendment, to which amendment to the amendment this House doth desire the concurrence of the Senate; and that this House doth disagree to the 18th of the said amendments, and have agreed to the rest of them.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth,

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming, reported, from the committee, that the committee had come to several other resolutions, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions were read, and are as followeth, viz:

*Resolved*, as the opinion of this committee, That all bills of credit emitted by authority of Congress ought to pass current in all payments, trade and dealings, in this Commonwealth, and be deemed in value equal to the same nominal sum in Spanish milled dollars, or any other coin; and that whosoever shall offer, ask, or receive more, in the said bills, or in the bills of credit emitted by authority of this Commonwealth, for any gold or silver coin, or other species of money whatsoever, than the nominal sum or amount thereof, or more, in the said bills, for any lands, goods, or commodities whatsoever, than the same could be purchased at from the same person or persons in gold or silver, or any other species of money whatsoever, or shall offer to sell any goods or commodities for gold or silver coins, or any other species of money whatsoever, and refuse to sell the same for the said continental bills, or bills of this Commonwealth, every person so offending ought to forfeit the value of the money so exchanged, or house, land, or commodities so sold, or offered to sale.

*Resolved*, as the opinion of this committee, That the bills of credit emitted by authority of Congress shall and ought to be a lawful tender in payment of all public and private debts, and a refusal thereof, or a refusal of the bills of credit emitted by the authority of this Commonwealth, an extinguishment of such debts. That debts payable in sterling money be discharged in either of the above kinds of money at the rate of 4s. 6d. sterling per dollar, and that, in discharge of all other debts and contracts, continental dollars, and the dollars of this Commonwealth, pass throughout the same at the rate of 6s. per dollar.

*Resolved*, as the opinion of this committee, That this Commonwealth will make provision for calling in and sinking her just quota of the bills emitted by Congress at the several periods fixed, or that shall be fixed, by Congress, for that purpose.

*Resolved*, as the opinion of this committee, That his Excellency the Governor and the Privy Council be desired to have the accounts of the money due from the continent to this Commonwealth settled by the commissioners appointed by Congress for that purpose, and transmit the same to our delegates in Congress, who are hereby instructed to procure the payment thereof.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That a bill, or bills, be brought in pursuant to the 1st and 2d resolutions of the committee; and that Messrs. Fleming, Bullitt, Braxton, Starke and Griffin, do prepare and bring in the same.

*Ordered*, That Mr. Fleming do carry the 3d resolution to the Senate, and desire their concurrence.

Mr. Fleming also acquainted the House, that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

The other orders of the day being read,

*Resolved*, That this House will, on Thursday next, resolve itself into a committee of the whole House, on the memorial of the Rector and Visitors of the College of William and Mary,

*Resolved*, That this House will, on Thursday next, resolve itself into a committee of the whole House, on the memorial of the trustees of the Academy of Hampden Sidney, in the county of Prince Edward.

*Ordered*, That the farther consideration of the report of the committee of Propositions and Grievances, upon the memorial of Charles Lynch, be farther adjourned till to-morrow.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to repeal an act of Assembly for regulating the inoculation of the smallpox within this colony."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for establishing a loan office for borrowing money for the use of the United States, and appointing a commissioner to superintend the same."



*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to repeal so much of an act entitled 'an act for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, June 11, 1777.

Another member having taken the oath appointed to be taken by law, took his seat in the House.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate do recede from their 20th amendment to the bill entitled "an act for regulating and disciplining the militia," to which this House hath disagreed.

The Senate doth agree to the amendment made by this House to their 13th amendment, to the bill entitled "an act for providing against invasions and insurrections," and do insist on their 18th amendment to the said bill. And then he withdrew.

*Ordered*, That a message be sent to the Senate, to acquaint them that this House hath appointed a committee to examine the late treasurer's accounts, and that, if they please to appoint a committee of their House for that purpose, both committees may proceed to do the business together; and that Mr. Starke do carry the said message.

Mr. Prentis informed the House he was desired, by the commissioners appointed to sell the lands and slaves purchased to encourage the making of wine, that they had accordingly sold the same; and he delivered an account of the sales in at the clerk's table, where the account was read, and is as followeth, viz :

To Colonel William Aylett, 100 acres of land, with the improvements, for the use of this State,	£. 313	0	0	
To ditto, one negro man named Sandy,	-	80	10	0
To Mr. John Meade, a man named Frank, a woman Molly, and two children, Glasgow and Molly,	-	-	-	-
		166	15	0
	£. 560	5	0	

June 9, 1777.

NATHANIEL BURWELL.  
BENJAMIN POWELL.

A message from the Senate by Mr. Carrington :

MR. SPEAKER,—The Senate have agreed to the resolution of this House, desiring the Governor, with the advice of the Council, to fill up the vacancies which are or may happen in the three battalions of this Commonwealth. And also,

The Senate have agreed to the resolution of this House for permitting the persons who had taken their passage in the ship *Albion*, to go on board any other vessels, and proceed on their passage, with an amendment, to which amendment the Senate desire the concurrence of this House. And then he withdrew.

The House proceeded to take the said amendment into consideration.

And the said amendment was read, and is as followeth :

At the end of the resolution, add "provided they depart within the space of eight days, and in the mean time that their place of residence be confined within such reasonable limits as the Governor and Council may think consistent with the safety of the State."

And the said amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Harvie do carry the resolution to the Senate, and acquaint them that this House hath agreed to the amendment made by them to the said resolution.

Mr. Lee reported, from the committee of Public Claims, to whom the petition of Jonathan McKay, administrator of Joel Cornick, deceased, was referred, that the committee had examined the matter of the said petition, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolution of the committee was read, and is as followeth, viz :

*Resolved*, as the opinion of this committee, That the petition of the said Jonathan McKay, praying an allowance for Will, a slave belonging to the estate of his intestate, who had been taken by our troops at the Great Bridge, in the month of December, 1775, in Lord Dunmore's service, and sent to Williamsburg for trial, and by order of the committee of Safety, was put on board a vessel commanded by Capt. John Dixon, in order to have been transported to the West Indies, and sold, which said vessel was taken by the enemy, is reasonable, and that the sum of 37*l.* 12*s.* 6*d.* (being the balance after deducting out of the value the sum of 7*l.* 7*s.* 6*d.* the expense of transportation) ought to be allowed for the said slave, and paid to the petitioner.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

Mr. Fleming presented to the House, according to order, a bill "for the more speedily completing the quota of

troops to be raised in this Commonwealth for the continental army, and other purposes;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

*Ordered*, That Messrs. Claiborne, Allen and Page, be added to the committee of Public Claims.

A message from the Senate by Mr. Holt :


MR. SPEAKER,—The Senate have appointed a committee to examine the late treasurer's accounts, and the committee propose to attend the said examination with the committee from this House. And then he withdrew.

*Ordered*, That leave be given to bring in a bill "for establishing a loan office for the purpose of borrowing money for the use of this Commonwealth, and appointing a commissioner for superintending the same;" and that Messrs. Bullitt, Braxton, Nicholas and Mason, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "to prevent the importation of slaves into this Commonwealth, and for other purposes;" and that Messrs. Zane, Henry and Alexander, do prepare and bring in the same.

*Ordered*, That the secretary of this Commonwealth, be desired, at the public expense, to employ some proper person to take into his custody the public records now removed to the town of Richmond, and that he authorise such person to give attested copies of any papers which may be called for, and that the person so employed do also take care of the books and papers belonging to the General Assembly which may be in the said town.

*Ordered*, That Mr. Braxton do carry the order to the Senate, and desire their concurrence.

The order of the day being read, for the House to resolve itself into a committee of the whole House, on the bill "to repeal an act of Assembly entitled 'an act to regulate the inoculation of the smallpox within this colony,'" 

*Resolved*, That this House will, on the 10th day of August next, resolve itself into the said committee.

The order of the day, being read for the House to resolve itself into a committee of the whole House, on the bill "for establishing a loan office for the purpose of borrowing money for the use of the United States, and appointing a commissioner to superintend the same;"

The House resolved itself into the said committee.


Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that they had gone through the bill, and made an amendment thereunto, which they had directed him to report when the House will please to receive the same.

*Ordered*, That the report be now received.

Mr. Nicholas accordingly reported, from the committee, the amendment which the committee had made to the bill, and which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendment, in at the clerk's table, where the amendment was twice read, and upon the question put thereupon, agreed to by the House. 

*Ordered*, That the bill, with the amendment, be engrossed.

*Ordered*, That the committee of the whole House be discharged from proceeding upon the bill "to prevent houses and other private property from being taken for the use of the soldiery, and to oblige quartermasters to furnish tents or barracks for such officers and soldiers as may be thought necessary for any particular station;" and that the said bill be committed to Messrs. Nelson, Starke, Curle, Henry, Zane and Prentiss.

*Ordered*, That Messrs. Bowyer and Parsons have leave to be absent from the service of this House for the remainder of the session.

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.


*Ordered*, That the farther consideration of the report of the committee of Propositions and Grievances upon the memorial of Charles Lynch, be farther adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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#### THURSDAY, June 12, 1777.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have agreed to the resolution of this House for paying to Jonathan M'Kay, administrator of Joel Corneck, deceased, 37*l*. 12*s*. 6*d*. And then he withdrew. 

Mr. Fleming reported, from the committee to whom the bill "for appointing commissioners of Oyer and Terminer for the trial of the criminals now in the public jail" was committed, that the committee had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one, and upon the question severally put thereupon, were agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

A message from the Senate by Mr. Henry Lee :

MR. SPEAKER,—The Senate have agreed to the resolution of this House for paying to Thomas Rowland and company 63*l.* 16*s.* 3*d.* And then he withdrew.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of a commissioner to superintend a loan office for borrowing money for the use of the United States.

*Ordered*, That Mr. Bullitt do acquaint the Senate therewith.

The House proceeded to nominate persons to be balloted for as the said commissioner.

And several persons were nominated as proper to be ballotted for.

*Ordered*, That Mr. Bullitt do carry a list of the persons so nominated to the Senate.

Mr. Starke presented to the House, according to order, a bill “to enable the vestry of the parish of Botetourt to dispose of their glebe, and to comply with their contract with Thomas Madison;” and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Neaville presented to the House, according to order, a bill “for establishing a town in the county of Hampshire;” and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A message from the Senate by Mr. Henry Lee :

MR. SPEAKER,—The Senate do agree to the resolutions of this House directing the treasurer to procure proper robes for the Speaker, and gowns for the clerks, of the two Houses of the General Assembly, a mace for the use of the Senate, and to furnish each of the door-keepers of the Senate with a decent suit of clothes. And then he withdrew.

The Speaker laid before the House a letter from the Governor, enclosing one from Lieut. Col. Thomas Blackburn, resigning his said office.

And the said letters were read.

*Ordered*, That the said letters do lie upon the table.

A bill “for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes,” was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the said bill.

The House took into consideration the message from the Senate, that they insist on the 18th amendment made by them to the bill entitled “an act for providing against invasions and insurrections.”

*Resolved*, That this House doth recede from their disagreement to the said amendment.

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and acquaint them that this House hath receded from their disagreement to the said amendment made by them.

*Ordered*, That a committee be appointed to examine the enrolled bills.

And a committee was appointed, of Messrs. Fleming, Prentis, Curle, Kello, Ewell and Alexander.

*Ordered*, That the public printer do print 1500 copies of the act of Assembly for regulating and disciplining the militia, for the use of the several counties.

*Ordered*, That a committee be appointed to distribute the same among the members, in proportion to the militia of their respective counties.

And a committee was appointed, of Messrs. Starke, Adams, Hubbard, Acrill, Penn, Kennon, Thornton, Henry and McClure.

The House took into consideration the amendment made by the Senate to the resolution of this House respecting the public arms in the county of Lunenburg.

And the said amendment was read, and is as follows: Leave out from the word “of” in the fourth line to the end of the resolution, and insert “sundry public arms committed to the care and direction of Clement Reade the elder, late county lieutenant of Lunenburg, during the last war; and they are directed to report the result of their inquiry to the next session of Assembly.”

The said amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Speed do carry the resolution to the Senate, and acquaint them that this House hath agreed to the amendment made by them.

The House resumed the adjourned consideration of the report of the committee of Propositions and Grievances on the memorial of Charles Lynch.

And the last resolution of the committee being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Henry do carry the resolutions to the Senate, and desire their concurrence.

*Ordered*, That the committee of the whole House be discharged from proceeding on the memorial of the Rector and Visitors of the College of William and Mary.

*Ordered*, That the committee of the whole House be discharged from proceeding on the memorial of the trustees of the Academy of Hampden Sidney, in the county of Prince Edward.



The House was informed that the trustees of the Academy of Hampden Sidney, in the county of Prince Edward, desired to withdraw the said memorial.

*Ordered*, That the said trustees be at liberty to withdraw their said memorial.

An engrossed bill, "for regulating and disciplining the militia of the city of Williamsburg and borough of Norfolk," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for regulating and disciplining the militia of the city of Williamsburg and borough of Norfolk."

*Ordered*, That Mr. Curle do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill "to oblige the male inhabitants of this State to give assurance of allegiance to the same, and for other purposes;" and that Messrs. McDowell, Lee and Meriwether, do prepare and bring in the same.

A bill "to amend an act entitled 'an act for preventing excessive and deceitful gaming,'" was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the said bill.

Mr. Lee reported, from the committee of Public Claims, that the committee had had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at clerk's table, where the same was read, and is as followeth, viz :

*Resolved, as the opinion of this committee*, That the petition of William Cocke, praying to be allowed for three fields of corn, which, by the order of Col. Christian, were appropriated as a pasture for the pack-horses and bullocks belonging to the public on the Cherokee expedition in September last, is reasonable, and that the petitioner ought to be allowed for the same the sum of 99l. 10s being the appraised value thereof.

*Resolved, as the opinion of this committee*, That so much of the petition of Amos Eaton, Evan Shelby, James Kincannon, Abel Richardson, John Beaty, James McGaffock, David Getford, James Aylett, William Sawyers, Robert Barnett and Ephraim Dunlop, as prays an allowance to be made to the said Eaton for his fields of corn, oats, meadows, &c. which were taken for the use of the pack-horses on the Cherokee expedition in August last, and destroyed, is reasonable; and that the said Amos Eaton ought to be allowed for the same the sum of 52l. 10s. being the appraised value thereof.

*Resolved, as the opinion of this committee*, That such parts of the petition as pray an allowance for the damages sustained by Evan Shelby, James Kincannon, Abel Richardson, John Beaty, David Getwood, James Aylett, William Sawyers, Robert Barnett and Ephraim Dunlop, be rejected, for want of sufficient proof.

*Resolved, as the opinion of this committee*, That the other part of the said petition, which relates to the damages sustained by James McGaffock, be rejected.

*Resolved, as the opinion of this committee*, That the petition of Thomas Price, praying to be allowed for five new cannon with proper carriages, and five new canvass bags, which were taken out of the petitioner's cellar on the 17th of October, 1775, by order of Col. Hutchings, and carried to Kemp's landing for the use of this State, and in a few days after fell into the hands of the British troops, is reasonable, and that the petitioner ought to be allowed the sum of 20l. for the cannon and carriages, and 15s. for the bags.

*Resolved, as the opinion of this committee*, That so much of the petition of Charles Deborax as prays an allowance for timber made use of in building a fort, guard-house, and magazine, at the lead mines, is reasonable, and that the petitioner ought to be allowed for the same the sum of 5l. being the appraised value thereof.

*Resolved, as the opinion of this committee*, That such other parts of the petition as pray an allowance for a horse which died (from what cause is unknown) in the service of this State, at the lead mines, be rejected.

*Resolved, as the opinion of this committee*, That the petition of Jarret Fitzgerald, praying to be allowed for a horse which died on his way to Williamsburg, attending the Indians from the Cherokee nation, be rejected.

*Resolved, as the opinion of this committee*, That the petition of Christopher Watson, praying to be reimbursed the expense incurred in conveying his son from Long Island, on Holstein river, where he contracted a disorder in the service of this State, which rendered him so unfit for duty that he was discharged, and was brought home at a considerable expense by his father, living in Halifax county, is reasonable, and that the petitioner be allowed the sum of 20l. for the expense and maintenance of his son to this time.

*Resolved, as the opinion of this committee*, That the petition of Elizabeth Elliot, praying to be allowed for a warehouse which was made use of as barracks for Captains Dillard's and Perkins's companies of minute men from Pittsylvania, and by the negligence of the soldiery was burnt, be rejected.

*Resolved, as the opinion of this committee*, That the petition of Richard Roy and John Catlett, inspectors at Roy's warehouse, praying to be allowed for a certain quantity of tobacco said to have been stolen out of the said warehouse in the years 1772 and 1773, be rejected, the time of the robberies not being ascertained, and it not appearing that every precaution was used to prevent such accident.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the 1st, 2d, 5th, 6th, and 7th resolutions to the Senate, and desire their concurrence.

A bill "for preventing the forgery of certain warrants and certificates, and other purposes," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the said bill.

The other order of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, June 13, 1777.

Mr. Harvie presented to the ouse, according to order, a bill "for the encouragement of iron works and the manufacturing of arms;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Starke presented to the House, according to order, a bill "for encouraging the making of salt;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

The Speaker laid before the House a letter from the Governor, enclosing one from General Washington.

And the said letters were read.

*Ordered*, That the said letters be referred to the committee of the whole House, upon the state of the Commonwealth.

Mr. M'Dowell presented to the House, according to order, a bill "to oblige the male white inhabitants of this State to give assurance of allegiance to the same, and for other purposes;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

The House, according to order, resolved itself into a committee of the whole House, upon the bill "for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had made a progress in the bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider farther of the said bill.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER.—The Senate have agreed to the resolution of this House desiring the secretary to appoint a proper person to take into his custody the public records and papers at Richmoud, with an amendment, to which amendment the Senate desire the concurrence of the House. And then he withdrew.

*Ordered*, That Messrs. Leigh, Harwood, Harrison and Fitzbugh, have leave to be absent from the service of this House till Monday next.

*Ordered*, That Messrs. M'Dowell and Harvie, have leave to be absent from the service of this House for the remainder of the session.

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider farther of the bill, "to repeal so much of an act, entitled 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider of the bill "to prevent desertion, and to punish persons harboring or entertaining deserters."

*Resolved*, That this House will, on Monday next, proceed by joint ballot with the Senate, to the choice of a commissioner of a loan office for borrowing money for the use of the United States.

*Ordered*, That Mr. Bullitt do acquaint the Senate therewith.

*Ordered*, That leave be given to bring in a bill "to permit the trustees of the Academy of Hampden Sidney, in the county of Prince Edward, to raise a sum of money, by lottery, for certain purposes;" and that Mr. Morton do prepare and bring in the same.

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, June 14, 1777.

A message from the Senate by Mr. Holt :

MR. SPEAKER,—The Senate have agreed to the resolution of this House that reparation ought to be made by the public to such inhabitants of the borough of Norfolk, who were friends to America, whose houses were destroyed by the forces under the command of Colonel Howe. And also,

The Senate have agreed to the resolution of this House for paying James Arbuckle 33*l.* 7*s.* 3*d.* And also, The Senate have agreed to the resolution of this House for paying Benjamin Peck 6*l.* And then he withdrew.

The House proceeded to take into their consideration the amendment made by the Senate to the resolution of this House desiring the secretary to employ a proper person to take charge of the public records at the town of Richmond.

And the said amendment was read, and is as follows :

At the end of the resolution add, “such person first taking an oath of fidelity to this Commonwealth, and faithfully to discharge his duty in that business, which oath any member of the Privy Council is hereby empowered to administer.”

The said amendment being read a second time, was, upon the question being put thereupon, agreed to by the House.

*Ordered*, That Mr. Adams do carry the resolution to the Senate, and acquaint them that this House hath agreed to the amendment made by them to the said resolution.

*Ordered*, That the committee for Courts of Justice be discharged from bringing in a bill, or bills, pursuant to the resolutions of the said committee, “for reviving and amending an act, entitled ‘an act to prevent the exorbitant exactions of the collectors of the county and parish levies.’”

A message from the Senate by Mr. Taylor :

MR. SPEAKER,—The Senate have agreed to the resolution of this House on the petition of Burr Harrison. And then he withdrew.

Mr. Nicholas presented to the House, according to order, a bill “for appointing commissioners to inquire into and ascertain the losses sustained by the late inhabitants of the borough of Norfolk;” and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

*Ordered*, That Mr. Syme have leave to be absent from the service of this House until Wednesday next.

A message from the Senate by Mr. Henry Lee :

MR. SPEAKER,—The Senate have agreed to the resolution of this House that provision shall be made by this Commonwealth for calling in and sinking her just proportion of the bills emitted by Congress. And also,

The Senate have agreed to the resolution of this House for settling the hire of the negroes employed by Mr. Charles Lynch, and for taking all the powder which shall be manufactured by the said Charles Lynch before the last day of December, 1778. And then he withdrew.

The order of the day being read, for the House to resolve itself into a committee of the whole House to consider farther of the bill “for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes,”

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had made a farther progress in the bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider farther of the said bill.

A message from the Senate by Mr. Jones :

MR. SPEAKER,—The Senate will proceed, on Monday next, by joint ballot with this House, to the choice of a commissioner of the loan office. And also,

The Senate have agreed to the resolutions of this House for paying to William Cocke 99*l.* 10*s.*, Amos Eaton 52*l.* 10*s.*, Thomas Price 20*l.* 15*s.*, Charles Deborah 5*l.*, and Christopher Watson 20*l.* And then he withdrew.

The several other orders of the day being read,

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider farther of the bill, “to repeal so much of an act entitled, ‘an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,’ as suspends the collecting of taxes this present year.”

And then the House adjourned till Monday morning, 10 o'clock.



MONDAY, June 16, 1777.

Mr. Lee reported, from the committee of Public Claims, that the committee had had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee,* That the petition of Thomas Berry, a soldier under Captain Benjamin Gray, who was wounded in the breast by the Indians, be rejected, for want of sufficient proof.

*Resolved, as the opinion of this committee,* That the petition of George Berry, jun. who was wounded in one of his legs by the Indians, be rejected, for want of sufficient proof.

*Resolved, as the opinion of this committee,* That the petition of George Hart, who was employed as surgeon on the Cherokee expedition, praying to be allowed for a horse supposed to have been stolen or strayed from Long Island while the petitioner was attending on the sick soldiers at fort Patrick Henry, be rejected.

*Resolved, as the opinion of this committee,* That the petition of Joshua Jones, a soldier, who received a wound in the battle near Long Island, on Holstein river, in his left arm, which rendered it for some time useless, and still remains very weak, is reasonable, and that the petitioner ought to be allowed the sum of 10*l.* for his present relief.

*Resolved, as the opinion of this committee,* That the petition of Samuel Douglas, a soldier in Capt. Aaron Lewis's company, who unfortunately received a wound by a knife, which lay unobserved by the petitioner, and pierced one of his thighs in lying down in his tent, which rendered him incapable of laboring for four months, is reasonable, and that the petitioner ought to be allowed the sum of 10*l.*

*Resolved, as the opinion of this committee,* That the petition of James Maxwell, praying to be allowed for his negro man slave, Primus, who having taken up arms under Lord Dunmore, was, on the 9th day of December, 1775, taken up by the petitioner and delivered to Col. Charles Scott, and on the 5th of the next month was committed to the public jail, where, in a few days after, he died, be rejected.

*Resolved, as the opinion of this committee,* That the petition of John Latham, praying to be allowed for a field of corn, growing on the lands of the petitioner in Long Island, whereon it was thought necessary, by Col. William Russell, to erect a fort, which said field of corn, being previously appraised, was cut down and destroyed by direction of the commanding officer, is reasonable, and that the petitioner ought to be allowed for the same the sum of 3*l.* being the appraised value thereof.

*Resolved, as the opinion of this committee,* That the petition of Elizabeth Duncom, setting forth, that her husband who was a soldier under Capt. Jacob Womack, on the Cherokee expedition, was killed in an engagement with the Indians, leaving the petitioner (who is a cripple) and five small children, in a distressed situation, is reasonable, and that the sum of 20*l.* for their present relief and also the farther sum of 5*l.* per annum for the term of five years, ought to be allowed and paid to Anthony Bledsoe and William Cocke, to be by them laid out for the support and maintenance of the petitioner and her children.

*Resolved, as the opinion of this committee,* That so much of the petition of Rawleigh Downman as prays that his four negro men slaves, James, Hercules, Fielding and David, who were taken on their way to Lord Dunmore, and sent to the lead mines, and there employed in the service of this State, may be returned, be rejected.

*Resolved, as the opinion of this committee,* That such other part of the petition as prays an allowance for hire of the said slaves is reasonable, and that the petitioner ought to be allowed at the rate of 12*l.* per annum each, for James, Fielding and David, from the 16th day of July, 1776, during the time they shall continue in that service, and at the same rate for Hercules, from the said 16th day of July till he died.

*Resolved, as the opinion of this committee,* That so much of the petition of William Keeling, John Hancock, Mary Jones, John Henley and William Keeling, junior, as prays that the several slaves in the petition mentioned, who were sent to the lead mines, and there employed in the service of this State, may be returned to their respective owners, be rejected.

*Resolved, as the opinion of this committee,* That such other part of the petition as prays an allowance for hire of the said slaves is reasonable, and that the petitioners ought severally, to be allowed as follows, to wit: William Keeling, for his slave Luke, and John Hancock, for Caesar, at the rate of 12*l.* per annum for each; John Henley, for Frank, 15*l.* per annum; and William Keeling, jun. for Peter, at 10*l.* per annum, from the 12th day of February, 1776; also Mary Jones, for Roger, 12*l.* per annum from the said 12th day of February, and for Tom, at the same rate, from the 20th day of March, 1776, during the time they shall continue in that service, deducting out of the said Jones's allowance the sum of 4*l.* which she has already received in part of the hire for Tom.

*Resolved, as the opinion of this committee,* That so much of the petition of Robert Langley as prays that his slave Lewis, who was sent to the lead mines, and there employed in the service of this State, may be returned, be rejected.

*Resolved, as the opinion of this committee,* That such other part of the petition as prays an allowance for hire of the said slave is reasonable, and that the petitioner ought to be allowed at the rate of 12*l.* per annum, from the 3d day of April, 1776, during the time the said slave shall continue in that service.

*Resolved, as the opinion of this committee,* That so much of the petition of Sarah Roan as prays that her negro man Gilbert, who was sent to the lead mines, and there employed in the service of this State, may be returned, be rejected.

*Resolved, as the opinion of the committee,* That such other part of the petition as prays an allowance for hire of

the said slave, is reasonable, and that the petitioner ought to be allowed at the rate of 12*l.* per annum from the 16th day of July, 1776, during the time the said slave shall continue in that service.

*Resolved, as the opinion of this committee,* That so much of the petition of George Daniel, guardian of William Murray, as prays that Juba, a negro man slave, belonging to the said Murray, who was sent to the lead mines, and there employed in the service of this State, may be returned, be rejected.

*Resolved, as the opinion of this committee,* That such other part of the petition as prays an allowance for hire of the said slave, is reasonable, and that the petitioner ought to be allowed at the rate of 12*l.* per annum from the 16th day of July, 1776, during the time the said slave shall continue in that service.

*Resolved, as the opinion of this committee,* That the petition of Charles Sayer, praying that his slave Africa, who he supposed had been sent to the lead mines, might be returned, with hire, be rejected; it appearing to the committee that the said slave absconded from the hospital, where he had been confined for some time sick, and it is imagined went to the northward with one of the Virginia regiments.

*Resolved, as the opinion of this committee,* That the petition of Cary Wilkinson, agent and manager for John Paradise, Esq. of London, praying to be paid out of the sales of such of the effects of Lord Dunmore as are within this Commonwealth, for a quantity of wood furnished by the petitioner, in the years 1774 and 1775, is reasonable, and that he ought to receive out of such sale the sum of 182*l.* 2*s.* in proportion with the other creditors of the said Dunmore.

*Resolved, as the opinion of this committee,* That the petition of Thoroughgood Smith and Company, praying to be allowed, out of the sales of such effects of Lord Dunmore as are within this Commonwealth, what may appear to be due on the said Dunmore's assumpsit for Thomas Warner to the petitioner, is reasonable, and that the said petitioners ought to receive out of such sales 17*l.* 10*s.* (being the sum which appears due on the said assumpsit) in proportion with other creditors of the said Dunmore.

*Resolved, as the opinion of this committee,* That the petition of Billey Haley Avery and James Grubb, praying an allowance for their trouble in apprehending Benjamin Woodward and the Cooks, who were suspected of having attempted to counterfeit the treasury notes of this State, is reasonable, and that the said Avery ought to be allowed the sum of 25*l.* and also the said Grubb the sum of 35*l.* as a reward for their services.

The 1st, 2d, 3d, 4th, 5th, 6th, 7th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 20th, 21st and 22d resolutions of the committee, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 8th resolution being read a second time, the amendment following was proposed to be made thereunto: to leave out "five," and insert "ten" instead thereof; and the question being put, that the word "five" stand part of the said resolution,

It passed in the negative.

And the question being put, that the word "ten" be inserted instead thereof,

It was resolved in the affirmative.

*Resolved,* That this House do agree with the committee in the said resolution so amended. That the petition of Elizabeth Duncom, setting forth, that her husband, who was a soldier under Capt. Jacob Womack, on the Cherokee expedition, was killed in an engagement with the Indians, leaving the petitioner (who is a cripple) and five small children, in a distressed situation, is reasonable; and that the sum of 20*l.* for their present relief, and also the farther sum of 10*l.* per annum for the term of five years, ought to be allowed and paid to Anthony Bledsoe and William Cocke, to be by them laid out for the support and maintenance of the petitioner and her children.

The 19th resolution being read a second time,

*Ordered,* That the petition of the said Charles Sayer be recommitted to the said committee.

*Ordered,* That Mr. Lee do carry the 4th, 5th, 7th, 8th, 10th, 12th, 14th, 16th, 18th, 20th, 21st and 22d resolutions to the Senate, and desire their concurrence.

Mr. Bullitt presented to the House, according to order, a bill "to support the credit of the money issued by authority of Congress and by authority of this Commonwealth, and to make the former current within this Commonwealth;" and the same was received and read the first time.

*Resolved,* That the bill be read a second time.

Mr. Bullitt presented to the House, according to order, a bill "for establishing a loan office for the purpose of borrowing money for the use of this Commonwealth;" and the same was received and read the first time.

*Resolved,* That the bill be read a second time.

Mr. Curle presented to the House, according to order, a bill "for the more regular laying off the borough of Norfolk;" and the same was received and read the first time.

*Resolved,* That the bill be read a second time.

Mr. Zane presented to the House, according to order, a bill "to prevent the importation of slaves into this Commonwealth, and for other purposes;" and the same was received and read the first time.

And the question being put, that the bill be read a second time,

It passed in the negative.

Mr. Morton presented to the House, according to order, a bill "to permit the trustees of the Academy of Hampden Sidney, in the county of Prince Edward, to raise a sum of money, by lottery, for certain purposes;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

The Speaker laid before the House a letter from the Governor, enclosing a state of the public trade.

And the said letter was read.

*Ordered*, That the said letter and state do lie upon the table.

The treasurer, according to order, laid his accounts before the House.

*Ordered*, That the said accounts do lie upon the table.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider farther of the bill, "for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes,"

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had made a farther progress in the bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider farther of the said bill.

*Ordered*, That leave be given to bring in a bill, "to amend an ordinance entitled, 'an ordinance for regulating the election of delegates, and ascertaining their allowances;'" and that Messrs. Alexander, Nicholas and Bullitt, do prepare and bring in the same.

The other orders of the day being read,

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill "to amend an act entitled, 'an act for preventing excessive and deceitful gaming;'"

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill "for preventing the forgery of certain warrants and certificates."

*Resolved*, That this House will, on the 10th day of August next, resolve itself into a committee of the whole House, to consider farther of the bill "to repeal so much of an act, entitled 'an act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned,' as suspends the collecting of taxes this present year."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will, on Thursday next, proceed by joint ballot with the Senate, to the choice of a commissioner of the loan office for borrowing money for the use of the United States.

*Ordered*, That Mr. Bullitt do acquaint the Senate therewith.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, June 17, 1777.

A message from the Senate by Mr. Holt :

MR. SPEAKER,—The Senate have agreed to the bill, entitled, "an act for regulating and disciplining the militia of the city of Williamsburg and borough of Norfolk." And then he withdrew.

A bill "for encouraging the making of salt," was read a second time

*Ordered*, That the bill be engrossed.

Mr. Alexander presented to the House, according to order, a bill "to amend an ordinance entitled, 'an ordinance for regulating the election of delegates, and ascertaining their allowances;'" and the same was received and read the first time.

And the question being put, that the bill be read a second time,

It passed in the negative.

*Ordered*, That Mr. Bullitt be added to the committee to whom the bill "to prevent houses and other private property from being taken for the use of the soldiery, and to oblige quartermasters to furnish barracks or tents for such officers and soldiers as may be thought necessary for any station," is committed.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider farther of the bill "for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes,"

The House accordingly resolved itself into a committee.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that the committee had gone through the bill, and made several amendments thereunto, which they had directed him to report when the House will please to receive the same.



*Ordered*, That the report be received to-morrow.

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to discourage desertion, and to punish persons harboring or entertaining deserters."

*Ordered*, That the committee of Propositions and Grievances be discharged from inquiring into the conduct of Mr. Archibald Govan.

A bill "for appointing commissioners to ascertain the losses of the late inhabitants of the borough of Norfolk." was read a second time.

*Resolved*, That the bill be committed to Messrs. Nicholas, Curle, Wilson, Godfrey and Henry.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, June 18, 1777.

Mr. Henry reported, from the committee of Propositions and Grievances, that the committee had examined the matters of several petitions of the inhabitants of Washington and Montgomery counties, to them referred, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, as the opinion of this committee, That such of the said petitions as pray that the division line established between the counties of Washington and Montgomery, by the act of Assembly for dividing Fincastle, may be set aside, are reasonable, and that the said counties ought to be divided by a line beginning at the boundary between this State and North Carolina, and to run from thence, due north, to the mouth of a creek called Hunger's Mother, about two miles below the Royal Oak, upon Holstein, thence by a straight course to a place called Maiden Spring, and thence a due north course until it intersects the waters of Sandy river.

*Resolved*, as the opinion of this committee, That the petition of the inhabitants of Washington county in opposition thereto, and praying that the line already established may continue and stand as the dividing line between the said counties, be rejected.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the committee of Propositions and Grievances do prepare and bring in a bill pursuant to the first resolution of the committee.

A bill "to permit the trustees of the Academy of Hampden Sidney, in the county of Prince Edward, to raise a sum of money, by lottery, for certain purposes," was read a second time.

*Ordered*, That the bill be engrossed.

Mr. Starke reported, from the committee for Religion, that the committee had examined the matter of the petition of the remaining members of the vestry for the parish of Botetourt, in the county of Botetourt, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, as the opinion of this committee, That the said petition is reasonable, and that the said vestry ought to be dissolved.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

A bill "to enable the vestry of the parish of Botetourt to dispose of their glebe, and to comply with their contract with Thomas Madison," was read a second time.

*Resolved*, That the bill be committed to Messrs. Lockhart and Starke, the members for Botetourt, Washington and Montgomery.

*Ordered*, That it be an instruction to the said committee, that they receive a clause, or clauses, for dissolving the vestry of the parish of Botetourt, in the county of Botetourt.

A bill "for the encouragement of iron works, and the manufacturing of fire arms," was read the second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House upon the said bill.

Mr. Henry presented to the House, according to order, a bill "for confirming a codicil annexed to the last will and testament of John Barr, deceased, respecting certain slaves;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

An engrossed bill, "for encouraging the making of salt," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for encouraging the making of salt."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

An engrossed bill "for appointing commissioners of Oyer and Terminer for the trial of the criminals now in the public jail," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for appointing commissioner<sup>7</sup> of Oyer and Terminer for the trial of the criminals now in the public jail."

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

Mr. Henry reported, from the committee of Propositions and Grievances, to whom the petition of Joshua Humphreys was referred, that the committee had examined the matter of the said petition, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

*Resolved*, as the opinion of this committee, That the said petition be rejected.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That the treasurer be empowered and required, so soon as be conveniently can, to import as much proper paper as will probably suffice for our future occasions of enmitting money, and for printing the laws of this Commonwealth.

*Ordered*, That Mr. Braxton do carry the order to the Senate, and desire their concurrence.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House for paying to Joshua Jones 10*l*.; Samuel Douglas, 10*l*.; John Latham, 3*l*.; Elizabeth Duncom, 20*l*. for her present relief, and 10*l*. per annum for five years; Rawleigh Downman, 12*l*.; to John Paradise, 182*l*. 2*s*.; and Thoroughgood Smith and Company, 17*l*. 10*s*.; out of Lord Dunmore's estate. And also,

The Senate have agreed to the resolution of this House, for settling the hire of the slaves employed in the lead mines, without any amendment. And also,

The Senate have agreed to the resolution of this House allowing Billy Haley Avery 25*l*.; and James Grubb 35*l*.; with an amendment, to which amendment the Senate desire the concurrence of this House. And then he withdrew.

A bill "for establishing a loan office, for the purpose of borrowing money for the use of this Commonwealth, and appointing a commissioner for superintending the same," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House upon the said bill.

A bill "to support the credit of the money issued by authority of Congress, and by authority of this Commonwealth, and to make the former current within this Commonwealth," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, upon the said bill.

A bill "to establish several new ferries, and for discontinuing others," was read a second time.

*Resolved*, That the bill be committed to Messrs. Terry and Watkins.

*Ordered*, That it be an instruction to the said committee, that they have power to receive a clause, or clauses, for establishing a ferry from the lands of George Watkins, in the county of Halifax, across Dan river, to the lands of John Murphey, in the said county.

Mr. Fleming presented to the House, according to order, a bill "to amend an act, entitled 'an act for reviving several public warehouses, for the reception of tobacco, and for other purposes;'" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A bill "to oblige the male white inhabitants of this State to give assurance of allegiance to the same, and for other purposes;" was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, upon the said bill.

Mr. Nicholas reported, from the committee to whom the bill "for appointing commissioners to ascertain the losses sustained by the late inhabitants of the borough of Norfolk" was committed, that the committee had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one, and upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

*Ordered*, That Messrs. Arbuckle and Henry, have leave to be absent from the service of this House for the remainder of the session.

Mr. Starke reported, according to order, the amendments made by the committee of the whole House to the bill "for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes;" and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one, and upon the question severally put thereupon, some of them were agreed to by the House.

*Ordered*, That the farther consideration of the report be adjourned till to-morrow.

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for preventing the forgery of certain warrants and certificates, and other purposes."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider farther of the bill "to discourage desertion, and to punish persons harboring or entertaining deserters."

And then the House adjourned till to-morrow morning, 9 o'clock.

#### THURSDAY, June 19, 1777.

Several other members having taken the oath appointed by law, took their seats in the House.

*Ordered*, That Mr. Webb have leave to be absent from the service of this House for the remainder of the session.

A message from the Senate by Mr. Henry Lee :

MR. SPEAKER,—The Senate will proceed, by joint ballot with this House to the choice of a commissioner of a loan office, for borrowing money for the use of the United States, agreeable to the resolution of this House. And then he withdrew.

An engrossed bill, "for appointing commissioners to inquire into and ascertain the losses sustained by the late inhabitants of the borough of Norfolk;" was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for appointing commissioners to inquire into and ascertain the losses sustained by the late inhabitants of the borough of Norfolk."

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to permit the trustees of the Academy of Hampden Sidney, in the county of Prince Edward, "to raise a sum of money, by lottery, for certain purposes," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act to permit the trustees of the Academy of Hampden Sidney, in the county of Prince Edward, to raise a sum of money, by lottery, for certain purposes."

*Ordered*, That Mr. Morton do carry the bill to the Senate, and desire their concurrence.

The order of the day being read, for resuming the adjourned consideration of the report of the committee of the whole House; to whom the bill "for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and other purposes," was committed,

The House resumed the adjourned consideration of the said report, and the several other amendments were read a second time, one by one, and upon the question severally put thereupon, some of them were agreed to, and others disagreed to, by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

A message from the Senate by Mr. Holt :

MR. SPEAKER,—The Senate have agreed to the bill entitled "an act for appointing commissioners of Oyer and Terminer for the trial of the criminals now in the public jail, and for other purposes," with some amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

And the said amendments were read, and are as followeth :

Page 1, line 23; after the word *Terminer* insert "and the sheriff is hereby empowered to execute the said writ, as well out of the county of York as within the same." Leave out from the word "or" to the word "shall" in the 24th line, and insert "fifteen of them at the least." Line 24, leave out the word "of." Line 28, leave out the words "fifty shillings," and insert "five pounds" Line 34, leave out from the word "*facias*" to the word "now" in the 35th line, and insert "to summon a *venire* from each county from whence criminals are."

The 1st, 2d, 3d and 4th amendments, being read a second time, were, upon the question severally put thereupon, agreed to by the House.

The last amendment being read a second time, was, upon the question put thereupon, disagreed to by the House.

*Ordered*, That Mr. Starke do carry the bill to the Senate, and acquaint them that this House doth agree to the first four of the said amendments by them proposed to the said bill, and doth disagree to the last amendment.

A message from the Senate by Mr. Cabell :

MR. SPEAKER,—The Senate have agreed to the bill entitled "an act for encouraging the making of salt," with some amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

*Ordered*, That Messrs. Tipton, Jett and Speed, have leave to be absent from the service of this House for the remainder of the session.

The several other orders of the day being read,

*Resolved*, That this House will, to-morrow, proceed, by joint ballot with the Senate, to the choice of a commissioner of the loan office for borrowing money for the use of the United States.

*Ordered*, That Mr. Bullitt do acquaint the Senate therewith.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for establishing a loan office for the purpose of borrowing money for the use of this Commonwealth, and appointing a commissioner for superintending the same."



*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for the encouragement of iron works and the manufacturing of arms."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to support the credit of the money issued by authority of Congress, and by authority of this Commonwealth, and to make the former current within this Commonwealth."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for preventing the forgery of certain warrants and certificates, and other purposes."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to discourage desertion, and to punish persons harboring or entertaining deserters."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

The Speaker laid before the House a letter from George Masou, Esq. declining to accept his appointment as one of the delegates from this State to the General Congress.

And the said letter was read.

*Ordered*, That the said letter do lie upon the table.

And then the House adjourned till to-morrow morning, 9 o'clock.

## FRIDAY, June 20, 1777.

Richard Henry Lee, Esq. one of the members for the county of Westmoreland and a delegate to Congress, requesting the House to inquire into certain matters injurious to his reputation and public character, which, as he was informed, had in his absence been alleged against him,

*Ordered*, That a message be sent to the Senate, desiring them to permit Southy Simpson, Esq. one of their members, to attend the House, and be examined as a witness.

*Ordered*, That Mr. Bullitt do carry the message.

*Ordered*, That a message be sent to the Senate, acquainting them, that, if they please, they may be introduced into the House, and hear the inquiry.

*Ordered*, That Mr. Henry do carry the message.

The Senate being introduced,

Several witnesses were examined, and Mr. Lee was heard in his place.

And the Senate being withdrawn,

*Resolved*, That the thanks of this House be given by the Speaker to Richard Henry Lee, Esq. for the faithful services he has rendered his country in the discharge of his duty as one of the delegates from this State in General Congress.

And thereupon Mr. Speaker gave Mr. Lee, he standing up in his place, the thanks of the House as follows:

SIR,—It is with a peculiar pleasure that I obey this command of the House, because it gives me an opportunity, whilst I am performing an act of duty to them, to perform an act of justice to you. Serving with you in Congress, and attentively observing your conduct there, I thought that you manifested in the American cause a zeal truly patriotic, and, as far as I could judge, exerted the abilities you are confessedly distinguished for to promote the good and prosperity of your own country in particular, and of the United States in general. That the tribute of praise deserved may reward those who do well, and encourage others to follow your example, the House has come to the following resolution:

*Resolved*, That the thanks of this House be given by the Speaker to Richard Henry Lee, Esq. for the faithful services he has rendered his country in the discharge of his duty as one of the delegates from this State in General Congress.

To which Mr. Lee answered:

MR. SPEAKER,—I thank the House for this instance of candor and justice, which I accept the more willingly, as my conscience informs me it is not undeserved. I consider the approbation of my country, Sir, as the highest reward for faithful services, and it shall be my constant care to merit that approbation by a diligent attention to public duties.

My thanks are particularly due to you, Sir, for the obliging manner in which you have been pleased to signify the vote of the House, and I pray you, Sir, to receive my grateful acknowledgments accordingly.

Mr. Lee reported, from the committee of Public Claims, that the committee had had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, as the opinion of this committee, That the petition of John Finley, who was wounded in one of his thighs, in the battle with the Cherokee Indians, near Long Island, on the 20th of July last, which rendered him incapable of getting a livelihood by labor, is reasonable, and that the petitioner ought to be allowed the sum of 10*l.* for his present relief.

*Resolved, as the opinion of this committee,* That the petition of William Owen, John Owen, John Thomas, Andrew Ripley and Joshua Thomas, soldiers in Capt. William Smith's company of minute men, praying to be reimbursed the extra expenses incurred by them when sick, be rejected.

*Resolved, as the opinion of this committee,* That the petition of Hansford Rowe, praying to be allowed for his negro man slave, Lewis, who ran away and escaped to Lord Dunmore's fleet, in September, 1775, and was afterwards taken up by the American troops at the Great Bridge, sent to Williamsburg, and on the 5th of January was committed to the public jail, where, on the 13th of the same month, he died, be rejected, for want of sufficient proof.

*Resolved, as the opinion of this committee,* That the several petitions of Mills Wilkinson, Elias Barnaby, John Rose, Rebecca Coleman, William McClanahan, Thomas Collis, Peter Hansborough and Robert Long, ought to be referred to the consideration of the next session of Assembly.

*Resolved, as the opinion of this committee,* That the petition of Chesley Woodward, praying to be allowed for 13 days of his wagon and team in returning home from Norfolk, where it was discharged from the service of this State, is reasonable, and that the petitioner ought to be allowed for the same at the rate of 12s. 6d. per day, which amounts to the sum of 8l. 2s. 6d.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That Mr. Lee do carry the 1st and 5th of the resolutions to the Senate, and desire their concurrence.

An engrossed bill, "for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes," was read the third time.

*Resolved,* That the bill do pass, and that the title be, "an act for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes."

*Ordered,* That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

*Ordered,* That a committee be appointed to inquire into the conduct of the keeper of the public jail, and report the matter, as it shall appear to them, with their opinion thereupon, to the House.

And a committee was appointed, of Messrs. Riddick, Strother, Terry, William Cocke, Adams, Clapham, Davenport and Robinson.

Mr. Lee reported, from the committee to whom the petition of Thomas Lewis was recommitted, that the committee had had under their farther consideration the said petition, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee,* That the said petition is reasonable, and that the petitioner ought to be allowed the sum of 9l. 19s. for his board and the expense of a surgeon.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered,* That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

*Ordered,* That Messrs. Cowper and Pettus have leave to be absent from the service of this House for the remainder of the session.

Mr. Henry, from the committee of Propositions and Grievances, reported, that the committee had examined the matter of the memorial of Sampson Matthews and Alexander Sinclair, to them referred, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved, as the opinion of this committee,* That the said memorial be rejected, it appearing that the expense of prosecuting the business therein mentioned will be considerable, and the success very uncertain.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

The Speaker laid before the House a letter from the Governor, enclosing one from Col. Wilson.

And the said letters were read.

*Ordered,* That the said letters be referred to the committee of the whole House upon the state of the Commonwealth.

The several orders of the day being read:

*Resolved,* That this House will, to-morrow, proceed, by joint ballot with the Senate, to the choice of a commissioner of the loan office for borrowing money for the use of the United States.

*Ordered,* That Mr. Bullitt do acquaint the Senate therewith.

*Resolved,* That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a loan office for the purpose of borrowing money for the use of this Commonwealth, and appointing a commissioner for superintending the same."

*Resolved,* That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for the encouragement of iron works and the manufacturing of arms."

*Resolved,* That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "to support the credit of the money issued by authority of Congress and by authority of this Commonwealth, and to make the former current within this Commonwealth."

*Resolved,* That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider of the bill "for preventing the forgery of certain warrants and certificates, and other purposes."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to discourage desertion, and to punish persons harboring or entertaining deserters."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to oblige the male white inhabitants of this State to give assurance of allegiance to the same, and for other purposes."

The House proceeded to take into consideration the amendments made by the Senate, to the bill entitled "an act for encouraging the making of salt;" and the said amendments were read, and are as followeth, viz:

Page 1, line 6; leave out the name of "Benjamin Peck," and insert "Henry Custis." Line 35, leave out from the word "managers," to the word "shall" in the 36th line. Line 39, leave out from the word "them" to the word "and" in the second place in the 42d line.

Page 2, line 3; after the word "shillings," insert "provided such private adventurer shall be obliged to sell such salt to the Governor and Council, or, by retail, to the inhabitants of this Commonwealth, at the rate of one peck for each member in any family, under the penalty of forfeiting the value of such salt and the bounty received, to be recovered in any court of record, by action of debt, or upon the case, by any person who will sue for the same."

The first of the said amendments being read a second time, the following amendment was proposed to be made thereunto:

After "Custis," insert "and Charles Bagwell."

And the same was, upon the question put thereupon, agreed to by the House.

The said amendment, thus amended, was, upon the question put thereupon, agreed to by the House.

The 2d and 3d amendments being severally read a second time, were, upon the question severally put thereupon, disagreed to by the House.

The last amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Starke do carry the bill to the Senate, and acquaint them that this House doth agree to the first of the said amendments by them proposed to the said bill, with an amendment to the said first amendment, to which amendment to the amendment this House doth desire the concurrence of the Senate; and that this House doth disagree to the 2d and 3d amendments, and doth agree to the last amendment.

And then the House adjourned till to-morrow morning, 9 o'clock.

## SATURDAY, June 21, 1777.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolution of this House empowering the treasurer to import proper paper for emitting money and for printing the laws. And also,

The Senate have agreed to the bill entitled "an act for permitting the trustees of the Academy of Hampden Sidney, in the county of Prince Edward, to raise a sum of money, by lottery, for certain purposes." And then he withdrew.

Mr. Henry presented to the House, according to order, a bill "for altering the bounds of the counties of Montgomery and Washington;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Henry reported, from the committee to whom the bill "to establish several new ferries, and discontinuing others," was committed, that the committee had gone through the bill, and made an amendment thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendment, in at the clerk's table, where the amendment was twice read, and upon the question put thereupon, agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed.

A bill "to amend an act entitled 'an act for reviving several public warehouses for the reception of tobacco, and for other purposes,'" was read a second time.

*Resolved*, That the bill be committed to Messrs. Fleming, Bullitt, Nicholas, Richard Lee, Richard Henry Lee, Terry, Norvell, King and Curle.

A bill "to establish a mode for the speedy and summary recovery of such sums of money as are or may become due to the public, and for enforcing all contracts entered into with government," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider of the said bill.

Mr. Starke reported, from the committee to whom the bill "to enable the vestry of the parish of Botetourt to dispose of their glebe, and to comply with their contract with Thomas Madison," was committed, that the committee



had gone through the bill, and made an amendment thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendment, in at the clerk's table, where the amendment was twice read, and, upon the question put thereupon, agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill "for the encouragement of iron works and manufacturing of arms,"

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one, and upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

A message from the Senate by Mr. Bland :

MR. SPEAKER,—The Senate have agreed to the bill entitled, "an act for appointing commissioners to inquire into and ascertain the losses sustained by the late inhabitants of the borough of Norfolk," with some amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew,

And the said amendments were read, and are as followeth :

Line 8, after Braxton insert "and," and in the same and the line following leave out "Paul Carrington and William Cabell." Line 11, leave out "five," and insert "four." Line 20, leave out "five," and insert "four." Line 32, after "court," insert "and shall also be liable to the action of the party at whose instance such witness was summoned. And if any person whatsoever summoned as a witness, upon his or her appearance before the commissioners, shall refuse to give evidence on oath, or being restrained by religious principles from taking an oath, solemnly to affirm and declare, to the best of his or her knowledge, every person so refusing shall be committed by the commissioners to the common jail of the county where the commissioners shall be convened, there to remain, without bail or mainprize, until he or she shall give such evidence; and in case any person, upon such examination, shall wilfully give false testimony, or if any person do unlawfully and corruptly procure or suborn any person, having taken an oath before the commissioners, to give false testimony, he or they for every such offence, shall suffer, as in case of wilful and corrupt perjury." Line 34, leave out "five," and insert "four."

The said amendments being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and acquaint them that this House doth agree to the amendments by them proposed to the said bill.

*Resolved*, That this House will, on Tuesday next, proceed, by joint ballot with the Senate, to the choice of a delegate to represent this State in General Congress in the room of George Mason, Esq. who hath declined the said appointment.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A message from the Senate by Mr. Holt :

MR. SPEAKER,—The Senate doth insist on the amendment made by them to the bill entitled, "an act for appointing commissioners of Oyer and Terminer for the trial of the criminals now in the public jail, and for other purposes," to which this House hath disagreed. And also,

The Senate have agreed to the amendment made to their first amendment to the bill "for encouraging the making of salt," and do insist on their second and third amendments to the said bill, to which this House hath disagreed. And then he withdrew.

*Ordered*, That Mr. Adams have leave to be absent from the service of this House till Wednesday, and Mr. Harwood till Thursday next.

*Resolved*, That this House will, on Monday next, proceed, by joint ballot with the Senate, to the choice of a commissioner of a loan office for borrowing money for the use of the United States.

*Ordered*, That Mr. Bullitt do acquaint the Senate therewith.

A motion was made that the House come to the following resolution :

*Resolved*, That it is of great consequence to this State to secure the salt springs in the county of Kentucky, and therefore that the Governor and Council be requested to embody as many of the militia of the counties of Washington, Montgomery, Henry, Pittsylvania, Bedford and Augusta, as will make up the number of three hundred men, including officers, to be commanded by the county lieutenant, or commanding officer, of Kentucky county, and to be by him stationed in such parts of the county as he shall think necessary to prevent the incursions of the enemy.

*Ordered*, That the said motion be referred to the committee of the whole House upon the state of the Commonwealth.

The other orders of the day being read,

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "to prevent desertion, and to punish persons harboring or entertaining deserters."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "to oblige the male white inhabitants of this State to give assurance of allegiance to the same, and for other purposes."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

And then the House adjourned till Monday morning, 9 o'clock.

# MONDAY, June 23, 1777.

An engrossed bill "for the encouragement of iron works and the manufacturing of arms," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for the encouragement of iron works."

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and desire their concurrence.

An engrossed bill "to establish several new ferries, and for discontinuing others," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act to establish several new ferries and for discontinuing others."

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolution of this House for allowing to John Cowper 55*l.*, out of the estate of Andrew Sprowle, deceased, without any amendment. And also,

The Senate have agreed to the resolution of this House for allowing Thomas Lewis 91*l.* 19*s.*, with an amendment, to which amendment the Senate desire the concurrence of this House. And also,

The Senate will, to-morrow, proceed, by joint ballot with this House, to the choice of a delegate to represent this State in General Congress in the room of George Mason, Esq. who hath declined the said appointment. And then he withdrew.

An engrossed bill "to enable the vestry of the parish of Botetourt to dispose of their glebe, and to comply with their contract with Thomas Madison," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act to empower the vestry of the parish of Botetourt to dispose of their glebe, for dissolving the vestry, and for other purposes therein mentioned."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

A bill "for confirming a codicil annexed to the last will and testament of John Barr, deceased, respecting certain slaves," was read a second time.

*Resolved*, That the bill be engrossed.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate are ready to proceed, by joint ballot with this House, to the choice of a commissioner of the loan office for borrowing money for the use of the United States. And then he withdrew.

A bill "for altering the bounds of the counties of Montgomery and Washington," was read a second time.

*Resolved*, That the bill be committed to Messrs. Lynch, Talbot, Curle, Zane, Richard Henry Lee, Terry, Lockhart, Todd and Callaway.

The order of the day being read, for the House to proceed, by joint ballot with the Senate, to the choice of a commissioner of the loan office for borrowing money for the use of the United States,

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed the said commissioner.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets, and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Mason, Norvell, Randolph and Morton; and they are to withdraw immediately.

*Ordered*, That Mr. Mason do acquaint the Senate therewith.

Mr. Mason reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Mr. William Armistead,

64

Mr. John Carter,

30

An engrossed bill "for establishing a loan office for the purpose of borrowing money for the use of the United States, and appointing a commissioner for superintending the same," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for establishing a loan office for the purpose of borrowing money for the use of the United States, and appointing a commissioner for superintending the same."

*Ordered*, That Mr. Bullitt do carry the bill to the Senate, and desire their concurrence.

The order of the day being read, for the House to resolve itself into a committee of the whole House, on the bill "to oblige the male white inhabitants of this State to give assurance of allegiance to the same, and for other purposes;"

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report when the House will please to receive the same.

*Ordered*, That the report be received to-morrow.

The Speaker laid before the House a letter from the hon. John Page, Esq. acting as Lieutenant Governor.

And the said letter was read.

*Ordered*, That the said letter do lie upon the table.

*Ordered*, That Mr. Nicholas have leave to be absent from the service of this House for the remainder of the session.

*Resolved*, That David Rogers, gentleman, be appointed to receive the money due to the militia of the district of West Augusta, according to their several claims, as the same have been or may be settled by the auditors of public accounts, in the room of Thomas Brown, who hath either neglected or refused to do so, agreeably to resolve of the last Assembly; the said David Rogers first giving bond and security for the due payment of the money he may receive to the several claimants entitled to the same.

*Ordered*, That Mr. Kennon do carry the resolution to the Senate, and desire their concurrence.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill "for establishing a loan office for the purpose of borrowing money for the use of this Commonwealth, and appointing a commissioner for superintending the same,"

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that they had made some progress in the bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider farther of the said bill.

*Ordered*, That the House be called over to-morrow.

The House proceeded to take into consideration the message from the Senate, insisting on the 2d and 3d amendments to the bill, entitled "an act for encouraging the making of salt," to which this House hath disagreed.

The said second amendment being twice read,

*Ordered*, That Mr. Nicholas do go to the Senate, to desire a free conference upon the subject matter of the said amendment.

The third amendment being twice read,

*Resolved*, That this House doth recede from their disagreement to the said amendment.

*Ordered*, That Mr. Nicholas do acquaint the Senate that this House have receded from their disagreement to the said amendment.

The House proceeded to take into consideration the message from the Senate, insisting on the last amendment made by them to the bill, entitled "an act for appointing commissioners of Oyer and Terminer for the trial of the criminals now in the public jail, and for other purposes."

And the said amendment being twice read,

*Resolved*, That this House doth recede from their disagreement to the said amendment.

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and acquaint them that this House hath receded from their disagreement to the said amendment.

The several other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to support the credit of the money issued by authority of Congress and by authority of this Commonwealth, and to make the former current within this Commonwealth."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to discourage desertion, and to punish persons harboring or entertaining deserters."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

And then the House adjourned till to-morrow morning, 9 o'clock.



TUESDAY, June 24, 1777.

Mr. Richard Lee reported, from the committee of Public Claims, to whom the memorial of Messrs. Hardy and Baker was referred, that the committee had examined the matter thereof, and come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, that the memorialists did, on the 26th day of January, 1776, contract with the committee of Safety for the victualling two regiments of regulars, or any number not exceeding two thousand, to be stationed at different places on the south side of James river, at 7d. halfpenny per ration, to commence the first day of March next following, and to continue for one year; the provisions to be at the risk of the contractors, except in case of accidents in the field of battle. All provisions on hand in that quarter, at the commencement of this business, were to be taken, if to be spared, by the contractors; and in case of the discontinuance of the war, all provisions in the hands of the contractors were to be taken by the country.

It farther appears to your committee, that at the time the memorialists entered into the said business they had the 1st and 2d battalions of minute men to supply with provisions, as well as the two regiments contracted for, and also, in a short time after, the 4th, 5th, and 8th regiments of regulars, together with a great number of the distressed inhabitants of Norfolk and Princess Anne counties; and the memorialists, being well assured that the provisions procured by them to fulfil their contract with the committee of Safety would be insufficient for the supply of the troops and others in that quarter, represented to the said committee the difficulty which they feared would attend their furnishing a number so much superior to what they had contracted for; that provisions had greatly increased in value, and they apprehended a sufficient quantity could not be bought on the south side of James river for this purpose; that the committee (not being able to judge what number of troops might be ordered to that quarter) endeavored to contract with some person who could undertake to victual the additional troops, but could not engage any one to do it for less than 8d. or 9d. per ration, and they then desired the memorialists to procure as much provision as they could, and the country would allow them the difference of what they should be obliged to give over and above the rates they had before purchased at; in consequence whereof the memorialists procured a large quantity, for which they were obliged to give a considerable advance.

It farther appears to your committee, that about the last of May, the 8th regiment marched to South Carolina, and Col. Barber, who was under a contract with the committee of Safety for supplying the 5th regiment at 8d. per ration, went down to Suffolk, and insisted on furnishing that regiment, although the memorialists wished to continue to supply them at 7d. halfpenny per ration, as they for some time past had done. About the first of June, the 1st and 2d regiments marched to Williamsburg, and soon after the minute men were discharged, leaving the 4th regiment only to be supplied by the memorialists, by which means the consumption of provisions having lessened considerably, a quantity which had been procured for the use of all the troops became so much injured as to be unfit for use. Five hundred and ten barrels of flour, being a part of the provisions herein mentioned, was, by order of the Governor and Council, bearing date the 17th of April, 1777 sold, thereby to lessen, as much as possible, the loss, whether the same should fall on this State or on the memorialists.

It farther appears to your committee, from the deposition of Demy Riddick, that he frequently assisted the memorialists in weighing and delivering provision to the officers and soldiers at Suffolk, and had great opportunity of seeing and examining the same, being almost daily in the issuing house, and always found the flour to be very good, and that he never saw or heard any thing to the contrary till about the first of September, when a few barrels were discovered to be musty and sour. That the deponent, being desired by the memorialists to examine the said flour, and send to Portsmouth such only as should appear to be good, did continue to send part of it, which was received, and issued to the troops there till the last of September, when the deponent received instructions from Portsmouth not to send any more flour, for that the last load had been condemned by a court of inquiry as unsound, and not fit for use. It farther appears, that there remained on hand in Suffolk 397 barrels of flour, weighing 89,409 lbs. neat, which was not merchantable, or such as the troops would receive. That the memorialists, after being desired by the committee of Safety to provide for the additional troops, were obliged to give for a quantity of pork 4l. 10s. per barrel.

It farther appears to your committee, from the deposition of Mallory Todd, that he, at the request of Col. John Banister, sold one hundred and sixty barrels of flour to the memorialists at 12s. per hundred, and delivered a considerable quantity purchased by the country, and given up by John Hawkins, to the memorialists, all of which, as far as the deponent knows, was sound and merchantable, except one load, being part of the flour received of Hawkins, which was not good, and, as the deponent believes, had been wet. That about the last of February, 1776, the deponent offered to sell a quantity of bacon to the memorialists at 6d. per pound, which they refused, saying they had already engaged a sufficiency for their contract, but afterwards applied for it for the use of the additional troops, and were obliged to give 7d. halfpenny per pound.

It farther appears to your committee, from the deposition of Thomas Fiveash, who acted as assistant commissary to the memorialists in the town of Suffolk, where the greater part of the provisions was received, that the flour when received was sound and merchantable. That some time about the month of August, the deponent being at Portsmouth, received from Suffolk a load of flour which was adjudged unsound, and not fit for use. Immediately another load was ordered down, which was also adjudged unfit for use; and some time afterwards, on the examination of the flour then

on hand in Suffolk, the same was likewise determined to be bad. That the memorialists were obliged to give from 4*l.* to 4*l.* 10*s.* per barrel for pork, and 7*d.* halfpenny per pound for bacon, for the additional troops.

It also appears to your committee, from the deposition of James Young, who acted as assistant commissary to the memorialists at the Great Bridge, that some time early in the month of March, 1776, he issued flour that was complained of by the officers and soldiers as bad, and not fit to be eaten, which flour he understood was part of that received of John Hawkins.

It likewise appears to your committee, from the deposition of Alexander Stockdale, who acted as assistant commissary to the memorialists at Portsmouth, from the 14th of June to the 11th of February, that during that period no bad flour was received at Portsmouth, or issued to the soldiers there, until some time in July or August, when he received a quantity from Suffolk which was bad, but all that came down James river was sound and good. It farther appears, that the deponent purchased for the memorialists fifty barrels of pork at 3*l.* 5*s.* and 1*s.* cartage, per barrel.

It farther appears to your committee, from the deposition of Andrew Mackie, that in the month of May, 1776, Samuel Oldham, who was manager for Col. John Banister, stored about 300 barrels of flour in the deponent's warehouse, which he requested the said deponent to dispose of to the best advantage; in consequence of which the deponent offered the said flour to the memorialist, Baker, who at that time declined purchasing, urging the uncertainty of the continuance of the troops on that station, and the daily expectation of receiving a large quantity from James river, adding also, that by having a considerable quantity on hand it might possibly spoil. Col. Stephen, who was present at this conversation, advised Mr. Baker to purchase the flour, at the same time telling him (the said Baker) that a great many men depended on him for their daily subsistence, and in case the tenders should take the flour which was expected down James river, the consequence would be bad, and as the flour then offered by the deponent was at a very convenient place, he would advise him to take it. Mr. Baker, through the repeated advice of Col. Stephen, did accordingly contract for the flour at 13*s.* 6*d.* per hundred, and 20*d.* each cask, and desired the deponent to be particularly careful in not sending any down but what was good. On the deponent's inspecting the flour, he found it all to be sound and good. It farther appears, that about a month before this flour was contracted for, the deponent entered into an agreement with Mr. Baker for all the flour he, the deponent, should manufacture that season, which he supposed would be about five hundred barrels, at 13*s.* 6*d.* per hundred, and 20*d.* for each cask; but as the troops were suddenly ordered away from Suffolk, and the memorialists had a large quantity of flour on hand, Mr. Hardy, one of the memorialists, came to the deponent's house and begged he would not manufacture any more for some time, as they wished to consume what was then on hand before they received any more, lest it should spoil. On this application, the deponent declined manufacturing for four months, at which time the said Hardy came to the deponent and informed him that the flour they had on hand had all spoiled, and requested the deponent to continue manufacturing, and to supply the troops at Portsmouth as soon as possible, which was accordingly done till their time was out.

It farther appears to your committee, from the several depositions of William Davis, Thomas Peirce, George Purdie and John Mallory, that the memorialists had purchased from each of them a considerable quantity of bacon at 7*d.* halfpenny per pound, and that this article could not be procured at a less price at that time.

It farther appears to your committee, from a certificate under the hands of James Wills, Thomas Smith and Daniel Herring, jun. dated January 2, 1777, that agreeable to the appointment of Colonel John Wilson, they waited on the assistant commissary to the memorialists, to ascertain the number of barrels and quantity of flour condemned by Colonel Robert Lawson, and that there appeared to be three hundred and sixty five barrels, weighing 88,295 pounds, gross.

It farther appears to your committee, from a certificate under the hand of General Stephen, dated September 29, 1776, that he had served many campaigns in the service of the King and Colonies, and never found the army so well supplied with good and wholesome provisions, as by the memorialists.

Whereupon your committee came to the following resolutions:

*Resolved, as the opinion of this committee,* That so much of the said memorial as relates to the flour and pork therein mentioned, is reasonable, and that the said memorialists ought to be allowed the sum of 737*l.* 17*s.* 4*d.* halfpenny.

*Resolved, as the opinion of this committee,* That such other parts of the said memorial as relates to the bacon, be rejected.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That Mr. Lee do carry the first of the said resolutions to the Senate, and desire their concurrence.

Mr. Mason reported, from the committee appointed to examine the late treasurer's accounts, that the committee had accordingly examined the same, and had agreed upon a report thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

Your committee have carefully examined and compared the same, with their proper vouchers, from the 19th day of October, 1776, exclusive, to the 15th day of January, 1777, inclusive; and, in consequence of the information given by the said treasurer, that he had reason to believe that he had been imposed on by some forged warrants from the Governor, we have also compared the warrants from the Governor, the commissioners of the navy, and the certificates from the commissioners appointed to audit the public accounts, with the different books kept by those respec-



sive boards, a method which we would recommend to be practised in future, as in consequence thereof we have found that the said treasurer hath paid, since the settlement of his last account, sundry sums of money upon forged warrants from the Governor, (to a particular list of which, annexed to this report, we beg leave to refer,) amounting in the whole to the sum of 4757*l.* 12*s.* 2*d.* besides the sum of 33*l.* 1*s.* 6*d.* paid before the settlement of that account, and passed by the last Assembly. That your committee have compared the said forged warrants with several others that were found to be good, by agreeing with the Council books, and find that though the forged warrants differ from the true ones in some few particulars, yet the forgeries so nearly resemble the true ones, both in the signature and in the body of the warrant, which bears a strong similitude to the hand writing of the clerk of the Council, that any unsuspecting man might easily have been deceived by them; but whether these forged certificates are to be paid by the public, or to be considered as the private loss of the said treasurer, your committee have not presumed to determine, but refer the whole matter to the consideration of the House.

That your committee having corrected such mistakes as occurred, which were exceedingly trifling, we find that the accounts are all fairly stated.

It appears to your committee, that the balance due to the Commonwealth, on settlement of the last account to the 19th of October, inclusive, amounts to the sum of 4455*l.* 7*s.* 8*d.* halfpenny. That of the money directed to be issued by ordinance of the General Convention in July last, the treasurer hath emitted the farther sum of 459*l.* 6*s.* That of the 500,000*l.* voted by the last Assembly, he hath issued the sum of 148,249*l.* And that he hath received into the treasury, on different accounts, the farther sum of 26,828*l.* 6*s.* 7*d.* halfpenny.

It farther appears to your committee, that he hath paid, on various accounts, since the former settlement, the sum of 179,992*l.* so that the balance due to the public on these accounts appears to be 3*d.* halfpenny and no more.

Your committee, on comparing the few errors on debtor and credit, which have been discovered, find a balance of 2*l.* 13*s.* 5*d.* due to the Commonwealth; and, upon the whole, that the said late treasurer is indebted the sum of 2*l.* 13*s.* 8*d.* halfpenny.

It also appears to your committee, that in the aggregate sum of 179,992*l.* 0*s.* 0*d.* halfpenny, disbursed by the said treasurer, there is the sum of 282*l.* 19*s.* 8*d.* charged as balance of cash advanced the delegates to Congress in 1775, to be repaid the public by the counties in arrear for the sums of 15*l.* and of 5*l.*, which was to be advanced by each county, towards defraying the expenses of the delegates in Congress, which the said treasurer hath undertaken to settle with the delinquent counties and the delegates.

Dr.

*The Treasury in account with R. C. NICHOLAS.*

Cr.

To cash paid sundry persons, as per account, - - -	£ 179,992 0 0 halfpenny	By balance of account set- tled the 19th of October, -	£ 4,455 7 8 halfpenny
Balance, - - -	3 halfpenny	By cash received of the sign- ers for balance of the former emission in July last, -	459 6 0
	£ 179,992 0 4	By cash received in part of the 500,000 <i>l.</i> ordered the last Assembly, -	148,249 0 0
		By cash received of sundries, as per account, -	26,828 6 7 halfpenny
			£ 179,992 0 4
		By balance, -	3 halfpenny

Dr.

*The Treasurer for account of Errors.*

Cr.

To Nathaniel Terry, overcharged for arms, - - -	£ 0 10 0	By Corbin Griffin, short charged, - - -	£ 0 0 9
To Charles Minnis, overpaid him, -	7 9 6	By Henry Tazewell, do. -	0 15 0
	£ 7 19 6	By James Markham, do. in his pay roll, - - -	4 10 0
		By short charged, Larkin Chew's annuity, - - -	0 0 4
		Balance, - - -	2 13 5
			£ 7 19 6



Dr. *The Treasurer to the Public.*

Cr

To balance of the public account,	£0 0 3 halfpenny
To balance of account of errors,	2 13 5
	<hr/> £2 13 8

*A list of the forged warrants referred to.*

October 19, 1776.	John Anderson, for repairing arms for Princess Anne militia,	-	£ 33 1 6
21,	Jacob Gordon, for arms purchased by Col. Stephen,	-	133 6 6
—	John Amble, for do. purchased by Col. Lawson,	-	110 0 0
22,	Thomas Martin, for work done for the public,	-	296 8 0
Nov. 25,	David Robinson, for cloth and linens by Col. Preston,	-	276 10 0
27,	James Nelson, for do. to Thomas Porter, Fredericksburg,	-	347 10 0
Dec. 6,	James Nelson, for linen and stores,	-	292 10 0
—	Thomas Langstone, for 200 yards of cloth,	-	273 6 8
7,	James Henderson, for shoes and linen, Robert Dunbar,	-	373 10 0
—	John Smith, for cloth and linen to John Driver, Suffolk.	-	236 10 0
14,	Thomas Langstone, for cloth, shoes, and hats, Robert Dunbar,	-	505 10 0
15,	Richard Garret, for 400 yards of cloth, James Hunter, Fredericksburg,	-	502 10 0
21,	James Smith, for hats,	-	110 6 0
Jan. 10, 1777.	Thomas Martin, for John Wilson, Esq. for purchasing pork,	-	500 0 0
—	James Smith, for Samuel Hardy, for do.	-	300 0 0
13,	John Smith, for John Wilson, Esq. for do.	-	500 0 0
			<hr/> £ 4790 18 8

The said report being read a second time, was, on the question put thereupon, agreed to by the House.

*Resolved*, That the forged certificates mentioned in the said report are not to be considered as private loss of the said late treasurer, but ought to be borne by the public.

*Ordered*, That Mr. Mason do carry the report and resolution to the Senate, and desire their concurrence.

An engrossed bill, "for confirming a codicil annexed to the last will and testament of John Barr, deceased, respecting certain slaves," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for confirming a codicil annexed to the last will and testament of John Barr, deceased.

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

Mr. Starke reported, from the committee appointed to inquire into and report what will be a proper salary for the public printer, that the committee had had the same under their consideration, and had agreed upon a report, and come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, as the opinion of this committee, That the public printer ought to be allowed the sum of six hundred pounds per annum, as a full consideration for printing the Journals of the General Assembly and the laws of each session, and sending as many copies thereof as there are acting justices in each county, and one other, which is to be half bound, for the use of the court, and ten to the clerks of the courts of Hustings for the city of Williamsburg and borough of Norfolk, and printing inspectors receipts and books, proclamations, and public advertisements.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That Alexander Purdie be appointed printer to this Commonwealth, from the end of this present session of Assembly to the end of the succeeding session of Assembly.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

The order of the day being read, for the House to proceed, by joint ballot with the Senate, to the choice of a delegate to represent this State in General Congress, in the room of George Mason, Esq. who hath declined the said appointment; several persons were nominated as proper to be ballotted for.

*Ordered*, That Mr. Bullitt do carry a list of the persons so nominated to the Senate.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER.—The Senate are now ready to proceed, by joint ballot with this House, to the choice of a delegate to represent this State in General Congress, in the room of George Mason, Esq. and have added one person to the list of those nominated by this House as proper to be ballotted for. And he named the person added by the Senate, and then withdrew.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed the said delegate.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets, and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Bullitt, Braxton, Harrison, King and Pickett; and they are to withdraw immediately.

*Ordered*, That Mr. Bullitt do acquaint the Senate therewith.

Mr. Bullitt reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Richard Henry Lee, Esq.	67	For Mann Page, jun. Esq.	13
James Mercer, Esq.	23		

*Resolved*, That the said Richard Henry Lee, Esquire, be appointed a delegate to represent this State in General Congress from the 11th day of August next, until the 10th day of May following, he having been chosen for that purpose by the joint ballot of both Houses of Assembly.

*Ordered*, That Mr. Bullitt, do carry the resolution to the Senate, and desire their concurrence.

*Resolved*; That the Governor and Privy Council be desired to settle the priority of rank among the captains and subalterns in the three battalions belonging to this Commonwealth, so as to give precedence to those officers formerly in the marine service according to the dates of their respective commissions in that service; then to the officers who were in the minute service in like manner, and to all others according to the time of their having completed their respective proportions.

*Ordered*, That Mr. Bullitt do carry the resolution to the Senate, and desire their concurrence.

The order of the day being read, for the House to resolve itself into a committee of the whole House to consider farther of the bill "for establishing a loan office for borrowing money for the use of this Commonwealth,"

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported from the committee, that they had made a farther progress in the bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House to consider farther of the said bill.

*Ordered*, That Messrs. Hubbard and Starke, have leave to be absent from the service of this House, for the remainder of the session.

*Resolved*, That the Governor and Council be directed to engage with Mr. James Hunter of Fredericksburg for as many good muskets, with bayonets, sheaths, and steel ramrods, as he can manufacture within twelve months from this time.

*Ordered*, That Mr. Mason do carry the resolution to the Senate, and desire their concurrence.

The several other orders of the day being read:

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to support the credit of the money issued by authority of Congress and by authority of this Commonwealth, and to make the former current within this Commonwealth."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to discourage desertion, and to punish persons harboring or entertaining deserters."

*Ordered*, That the report from the committee of the whole House, on the bill "to oblige the male white inhabitants of this State to give assurance of allegiance to the same, and for other purposes," be received to-morrow.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, on the bill "to establish a mode for the speedy and summary recovery of such sums of money as are or may become due to the public, and for enforcing all contracts entered into with government."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for preventing the forgery of certain warrants and certificates, and other purposes."

And then the House adjourned till to-morrow morning, 9 o'clock.

WEDNESDAY, June 25, 1777.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill "to support the credit of the money issued by authority of Congress and by authority of this Commonwealth, and to make the former current within this Commonwealth;"

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had gone through the bill and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one, and upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill "for establishing a loan office for the purpose of borrowing money for the use of this Commonwealth;"

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout and then a second time, one by one, and, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

*Ordered*, That Mr. Baulister, have leave to be absent from the service of this House for the remainder of the session.

A message from the Senate by Mr. Jones :

MR. SPEAKER,—The Senate have agreed to the resolution of this House desiring the Governor and Council to settle the rank of the officers late in the marine and minute service. And then he withdrew.

A message from the Senate by Mr. Cabell :

MR. SPEAKER,—The Senate have agreed to the bill entitled "an act to establish several new ferries, and for discontinuing others," with some amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Henry Lee :

MR. SPEAKER,—The Senate have agreed to the resolution of this House, empowering the Governor and Council to contract with Mr. James Hunter for arms for the use of the public. And then he withdrew.

A message from the Senate by Mr. Bland :

MR. SPEAKER,—The Senate have agreed to the bill entitled "an act for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes," with some amendments, to which amendments the Senate desire the concurrence of this House. And also,

The Senate have agreed to the bill entitled "an act for establishing a loan office for the purpose of borrowing money for the use of the United States, and appointing a commissioner for superintending the same," with some amendments, to which amendments the Senate desire the concurrence of this House. And also,

The Senate have agreed to the resolution of this House for appointing David Rodgers, gentleman, to receive the money due to the militia of the district of West Augusta. And then he withdrew.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of five justices of Oyer and Terminer for the trial of the criminals now in the public jail.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

The several other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to discourage desertion, and to punish persons harboring or entertaining deserters."

*Ordered*, That the report from the committee of the whole House on the bill "to oblige the male white inhabitants of this State to give assurance of allegiance to the same, and for other purposes," be received to-morrow.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, on the bill "to establish a mode for the speedy and summary recovery of such sums of money as are or may become due to the public, and for enforcing all contracts entered into with government."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for preventing the forgery of certain warrants and certificates."

And then the House adjourned till to-morrow morning, 9 o'clock.



THURSDAY, June 26, 1777.

Mr. Richard Lee reported, from the committee of Public Claims, to whom the memorial of John Blair and Edmund Randolph, trustees appointed for selling the slaves and personal estate of Lord Dunmore at and in the neighborhood of the city of Williamsburg, was referred, that the committee had examined the matter of the said memorial, and had directed him to report the same, as it appeared to them, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, that the said memorialists were unable, from the want of time, to take an inventory of the estate of Lord Dunmore, inasmuch as it was daily expected that the Convention would rise, and the sale, unless hastened, be thereby deprived of many purchasers. That on the day of sale the said memorialists caused it to be proclaimed, as a necessary condition of every purchase, that all articles bought should remain at the palace until the whole business was completed. That this was required as well to secure the payment of all sums under five pounds, for which no credit was given, as to afford an opportunity of taking bonds with sufficient security for all sums above five pounds, for which twelve months credit was allowed, circumstances which the said memorialists could not attend to in the hurry of the sale. That this injunction, being occasionally relaxed in the case of those persons whom necessity called immediately from the town, was in many other instances disregarded, whereby, notwithstanding their endeavors, from the day of sale to the time of preferring their memorial, the said memorialists have failed in obtaining all the bonds which should have been given, or collecting all the money which should have been paid in hand.

It farther appears to your committee, from the book to the said memorial annexed, that the sales in the city of Williamsburg amounted in the whole to 2,572*l.* 3*s.* 3*d.* farthing, making the sum specified in the memorial exceed this last mentioned sum by 35*l.* 12*s.* 10*d.* That this mistake, as your committee conceives, was owing to the said memorialists charging themselves with the rents of Porto Bello and the Farm, which will not be due till next Christmas, and the price of a kettle sold Dr. James Carter after the sale, which was twice debited to them. That the bonds which have been taken amount to 1,711*l.* 5*s.* 0*d.* three farthings, as appears by a certificate from the treasury, which sum exceeds the several debts of those persons who gave the said bonds by 1*l.* 3*s.* 11*d.* halfpenny. That this inaccuracy was owing to Mr. Joseph Kidd, who sent his bond to the memorialists executed for the said sum of 1*l.* 3*s.* 11*d.* halfpenny more than his true debt.

That the cash received amounted to 242*l.* 1*s.* 7*d.*, upon some part of which a discount of 7*l.* 14*s.* 1*d.* was allowed, which added together, make the sum of 249*l.* 15*s.* 8*d.*; that out of the cash received the said memorialists paid to sundry persons, for their services during the sale, the sum of 72*l.* 5*s.*, which left a balance in their hands of 169*l.* 16*s.* 7*d.* That it appears, by a certificate from the treasury, that they paid into the said treasury, the sum of 170*l.* 13*s.* 10*d.*, which exceeded the sum really due from them by 17*s.* 3*d.*

That the said memorialists proceeded properly in not taking bonds from Dr. James Carter and Mr. Samuel Timpson for the rent of Porto Bello and the Farm, for the reasons in the said memorial expressed.

It farther appears to your committee, that the accounts which ought to have been immediately discharged, and were not, amount to 33*l.* 17*s.* 9*d.* That those for which bonds ought to have been given, and were not, amount to 578*l.* 8*s.* 9*d.* That there remain yet unsold two large book presses, with a few books, which are not very saleable, one box of spermaceti candles, and a few gallons of Vidona wine.

That from the papers annexed to the memorial, which do not relate to the transactions of the said memorialists, your committee have raised certain accounts, amounting in the whole to 47*l.* 14*s.*:

Whereupon your committee came to the following resolutions:

*Resolved, as the opinion of this committee,* That the said memorialists have rendered a full and faithful account of their transactions in the said sale.

*Resolved, as the opinion of this committee,* That proper ways and means should be devised for collecting the money for which bonds have or have not been given, as well as that due by open account.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That Mr. Richard Lee do carry the resolutions to the Senate, and desire their concurrence.

Mr. Richard Lee reported, from the committee of Public Claims, to whom the memorial of Samuel Washington, Robert Rutherford and William Booth, trustees appointed by Convention for selling the slaves and other personal estate, and renting out the lands of Lord Dunmore in the county of Berkeley, was referred, that the committee had examined the matter of the said memorial, and had directed him to report the same, as it appeared to them, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, that the said memorialists, after giving public notice, proceeded, on the 4th day of October, 1776, to dispose of the said estate, which amounted to the sum of 1,118*l.* 5*s.* 2*d.* The bonds, with approved security, have been given, payable to the treasurer for the time being, on twelve months credit, to the amount of 1,113*l.* 6*s.* 6*d.* That the said memorialists received cash to the amount of 3*l.* 19*s.* 8*d.* which they are ready to pay into the treasury; and that the sum of nineteen shillings remains due on open account. That the said memorialists have also rented out the farm called Mount Charlotte, together with the saw mill thereon, to Mr. Edward Snickers, for the term of three years, at the rate of 41*l.* per annum, commencing the fourth day of October aforesaid. That the slave

George, and the two pieces of brass cannon, in the said memorial mentioned, remain unsold, it appearing that the same were not the property of the said Dunmore.

Whereupon your committee came to the following resolution :

*Resolved, as the opinion of this committee,* That some effectual method be pursued for the speedily collecting the money due on the sales aforesaid.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered,* That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

*Resolved,* That the treasurer be directed to have the debts due to the estate of John, earl of Dunmore, collected.

*Ordered,* That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

The House proceeded to take into consideration the amendments made by the Senate to the bill "to establish several new ferries, and for discontinuing others;" and the said amendments were read, and are as followeth, viz :

Line 5th, after the word "river," insert "at or near the mouth thereof." 6th, after the word "shore," insert "in the county of Albemarle." 9th, after the word "Howard's," insert "as aforesaid."

The said amendments being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That Mr. Henry do carry the bill to the Senate, and acquaint them that this House hath agreed to the amendments made by them to the said bill.

The House proceeded to take into their consideration, the amendment made by the Senate to the bill, entitled "an act for the encouragement of iron works;" and the said amendment was read, and is as followeth, viz :

Page 1st, line 31st, leave out the words "in the said county," and insert "within this Commonwealth" instead thereof.

The said amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered,* That Mr. Nicholas do carry the bill to the Senate, and acquaint them that this House hath agreed to the amendment made by them to the said bill.

The House proceeded to take into consideration the amendment made by the Senate, to the resolution of this House allowing certain sums of money to Billy Haley Avery, and James Grub.

And the said amendment was read, and is as followeth, viz :

Line 7th, after "25l." insert "deducting the sum of 13l. 13s. which the said Avery hath already received from the public."

The said amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered,* That Mr. Nicholas do carry the resolution to the Senate, and acquaint them that this House hath agreed to the amendment made by them to the said resolution.

A bill "for the more regular laying off the borough of Norfolk," was read a second time.

*Ordered,* That the bill be engrossed.

Mr. Fleming presented to the House, according to order, a bill "for farther continuing an act, entitled 'an act for the farther continuance of certain powers given to the Governor and Council, by an ordinance of the last Convention;' and the same was received, and read the first time.

*Resolved,* That the bill be read a second time.

Mr. Richard Lee reported, from the committee of Public Claims, that the committee had examined several claims for executed slaves, and other matters to them referred, and had stated an account thereof, which they had directed him to report, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz :

To Solomon Porch, for his negro man Tom, who was condemned and executed, and by the court of the county of Sussex valued at	-	-	-	£100	0	0
To Robert Harris, for his negro man slave Pritch, who was condemned and executed, and by the court of the county of Hanover valued at	-	-	-	50	0	0
To John Jones, assignee of John Mayo, for his negro slave James, who was condemned and executed for felony, and by the court of the county of York valued at	-	-	-	55	0	0
To Anne Cocke, ferry-keeper at Swan's Point, for ferriage of sheriff and guards with a criminal	-	-	-	0	8	9
To Bryant O'Cannon, his pay as a soldier in Captain Marshall's company 47 days at 1s. 6d.	-	-	-	3	10	6
To Nicholas Smith for 647 wt. of beef, at 2d. per pound, for Captain Long's company of militia, when stationed at Tyger's Valley	-	-	-	5	7	10
To Hybert Brink, for two sheep for the use of Captain Parson's company	-	-	-	1	4	0
To James Griffin, a farther allowance of eleven days pay as a private in Captain Moffett's company	-	-	-	0	16	6
To Patrick Lowry, for pasturage of forty horses 36 hours each, at 6d.	-	-	-	1	0	0
To William Cage, for going express from Monongahela to Winchester, 140 miles, at 6d. per mile, deducting 12s. of his pay, which he drew as a soldier at that time	-	-	-	2	16	0
To James Wood, for paid Thomas Craig for transcribing five copies of Colonel Mason's remarks on the necessary evidence against Henderson and others, 2l. and for the expenses of sundry witnesses at Fort Pitt, 1l. 11s. 2d.	-	-	-	3	11	2
To Charles Simms, for paid David Ferguson for going express to George Croghan, Esq.	-	-	-	1	16	0



To James Wood, for his trouble in taking depositions respecting the claims of Mr. Henderson and the Indiana Company, nine days, at 25s. per day	-	-	-	£11	5	0	
To Abraham Hite, the same, fourteen days	-	-	-	-	17	10	0
To Benjamin Dodd Wheeler, a wounded soldier in Captain Nicholas Lewis's company of minute men, to reimburse him the expense of a doctor	-	-	-	-	2	3	0
To David Dalton, do.	-	-	-	-	1	15	0
To Isaac Wood, do.	-	-	-	-	0	8	6
To William Burton, for his negro Tom, who was condemned and executed for felony, and by the court of the county of Amherst valued at	-	-	-	-	100	0	0
To John Lewis, for his negro woman slave Jenny, who was condemned and executed for conspiracy, and by the court of the county of James City valued at	-	-	-	-	50	0	0
To Bartholomew Carrel, for a bay mare lost in the Shawanese expedition, appraised to	-	-	-	-	5	15	0
To Conrod Smith, for a roan mare, do.	-	-	-	-	7	10	0
To Hannah Hubbard, for the use of her horse taken by the sheriff to convey Ridley Young, a criminal, to the public jail	-	-	-	-	2	0	0
To Thomas Tambrongh, for the use of his horse to convey Thomas Potter, a criminal, to the public jail	-	-	-	-	2	0	0
To Stephen Neil, for do. to convey John Chapman to the public jail	-	-	-	-	1	10	0
To John Wiley, a farther allowance on 63 days horse hire in 1774, over and above the sum allowed him by the commissioners	-	-	-	-	1	12	1
To Francis Berry, a soldier in Captain John Floyd's company on the Shawanese expedition, for 105 days, at 1s. 6d. omitted in the roll	-	-	-	-	7	17	6
To William Anderson, for his negro man slave John, who was condemned and executed for murder, and by the court of the county of Cumberland valued at	-	-	-	-	95	0	0
To James Robinson, for a gray horse, appraised to 12l. 2s. 6d. and a brown do. to 9l. lost in the Shawanese expedition	-	-	-	-	21	2	6
To Thomas Pate, for iron work for the public jail	-	-	-	-	37	18	6
To Richard Harrocks, for a dozen mahogany chairs, with hair bottoms, for the use of the Senate, at 50s. each,	-	-	-	-	30	0	0
To Daniel McKenzie, for a horse, appraised to 3l.; one do. 9l.; one mare, 10l.; one saddle, 1l.; one blanket, 8s.; one halter and pack saddle, 6s. 3d.; and three bells, 10s. 6d.; lost in the Cherokee expedition	-	-	-	-	24	4	9
To Andrew Wallace, for one black horse 11 years old, 15l.; one do. 3 years old, 21l.	-	-	-	-	36	0	0
To Christopher Irwin, for one do.	-	-	-	-	13	0	0
To Humphrey Hoggins, for seventy-nine days hire, 1s. 3d.	-	-	-	-	4	18	9
To John Cochran, for a bay horse which died in the public service, appraised to	-	-	-	-	13	0	0
To James Sawyers, for a roan horse lost, 14l.; one saddle and bridle do. 2l. 5s.	-	-	-	-	16	5	0
To John Young, for a bay mare drowned in crossing the river Tennessee, saddle and bridle lost,	-	-	-	-	9	10	0
To William Crawford, for two horses, appraised to 43l. Deduct for 40 days hire of said horses, each at 1s. 6d. per day, which was allowed by the auditors, 6l.	-	-	-	-	37	0	0
To James Buford for four horses appraised to 69l. 10s. Deduct for hire of two horses, forty-one days each, at 1s. 6d. per day, which was allowed by the auditors, 6l. 3s.	-	-	-	-	63	7	0
To William Meade, for a horse appraised to 11l. Deduct for thirty-nine days hire, 1s. 6d. per day, 2l. 18s. 6d.	-	-	-	-	8	1	7
To David Wallace, for a horse appraised to 6l. Deduct for 17 days hire, at 1s. 3d. per day, 1l. 1s. 3d.	-	-	-	-	4	18	9
To Joshua Rentfro, for a gray horse, bridle and saddle, 15l.; a bay horse, 10l.	-	-	-	-	25	0	0
To Stephen Holstein, for one do. appraised to 15l. Deduct for fourteen days hire, at 1s. 3d. per day, 17s. 6d.	-	-	-	-	14	2	6
To William Hugart, for a sorrel horse,	-	-	-	-	21	0	0
To Patrick Murphey, for a bay do.	-	-	-	-	10	10	0
To Ephraim Dunlop, for two do. 27l. and 16l.	-	-	-	-	43	0	0
To Isham Talbot, for a dark bay do.	-	-	-	-	16	6	0
To Michael Ocheltre, for a roan do.	-	-	-	-	15	0	0
To James Campbell, for a chestnut, do. and bell,	-	-	-	-	14	6	0
To Benjamin Thomas, for a sorrel do.	-	-	-	-	11	0	0
To Matthew Scott, for a roan do.	-	-	-	-	11	0	0
To John Wood, for a sorrel mare 11l.; one brown do. 7l.; and a gray horse 10l.	-	-	-	-	28	0	0
To Robert Boggs, for a bay mare	-	-	-	-	8	0	0
To Thomas Logwood, one mare	-	-	-	-	4	0	0
To Robert Finley, for a bay horse,	-	-	-	-	21	15	0
To Robert Preston, for one ditto,	-	-	-	-	13	10	0
To William Wills, jun. for a gray ditto,	-	-	-	-	15	0	0
To Jacob Gender, for a roan ditto,	-	-	-	-	13	0	0



To Jacob Anderson, for a dark bay mare,	-	-	-	£12 12 0
To William Markland, for a white horse 7l.; one bay ditto, 5l. 10s.	-	-	-	12 10 0
To Joseph M'Cormick, for a bright bay mare,	-	-	-	20 0 0
To John Adair, for a bay horse,	-	-	-	12 5 0
To William Hall, for a roan ditto,	-	-	-	16 10 0
To James M'Cockle, for a bay ditto,	-	-	-	25 0 0
To James Robinson, for a sorrel horse 8l.; and a black ditto, 13l.	-	-	-	21 0 0
To Joseph Russel, for a black ditto,	-	-	-	6 10 0
To William Hicks, for a black ditto,	-	-	-	11 10 0
To Jonathan Martin, for a black ditto,	-	-	-	15 0 0
To David Getgood, for a black mare,	-	-	-	9 0 0
To Gideon Morris, for a sorrel horse, 12l.; one brown ditto 10l.; and a white ditto 9l. 10s.	-	-	-	31 10 0
To Samuel Gay, for one horse,	-	-	-	16 0 0
To William Ingram, for a bright bay ditto,	-	-	-	8 0 0
To Isaac Riddle, for a blue roan ditto,	-	-	-	12 0 0
To Robert Stewart, for a bald eagle ditto,	-	-	-	15 0 0
To David Smith, for a bay ditto,	-	-	-	5 10 0
To James Berry, for a white ditto,	-	-	-	9 10 0
To John Smith, for a bay ditto,	-	-	-	26 0 0
To Edward Ross, for one horse,	-	-	-	7 10 0
To Daniel Smith, for a black horse,	-	-	-	12 0 0
To Gideon Faris, for a gray ditto,	-	-	-	11 10 0
To William Haynes, for a horse,	-	-	-	9 0 0
To Jesse Womack, for one ditto 12l.; and one ditto 11l.	-	-	-	23 0 0
To John M'Clanahan, for one ditto,	-	-	-	5 0 0
To John Furhran, for three ditto,	-	-	-	32 10 0
To John Phelps, for one ditto,	-	-	-	6 11 0
To William Frogg, for a bay ditto,	-	-	-	4 0 0
To Absalom M'Clanahan, for one horse,	-	-	-	4 0 0
To Archibald Graham, for a gun,	-	-	-	2 0 0
To William Milum, for two horses,	-	-	-	21 0 0
To Jamss Arnold, for a black mare,	-	-	-	12 0 0
To Lance Woodward, for one horse,	-	-	-	4 0 0
To Hanhrist Carlock, for a white mare,	-	-	-	10 0 0
To Francis Katharine, for a sorrel ditto,	-	-	-	9 0 0
To Daniel Henderson, for a bay horse,	-	-	-	10 0 0
To Thomas Berry, for a black ditto,	-	-	-	7 0 0
To Michael Rowland, for a bald eagle ditto,	-	-	-	12 0 0
To Amos Heaton, his pay as lieutenant, 93 days, at 4s.	-	-	-	18 12 0
John Latham, serjeant, 35 ditto, at 2s.	-	-	-	3 10 0
Henry Rice, ditto, 93 ditto, at ditto,	-	-	-	9 6 0
David Rounceval, ditto, 93 ditto, at ditto,	-	-	-	9 6 0
William Ramsay, William Mitchell and James Bradley, privates, 15 days, at 1s. 4d. each, 20s.	-	-	-	3 0 0
William Henson, William Lane, Lambert Lane, Charles Rice, John Rice, William Rice, Jesse Henson, Philip Mulhey, sen. Philip Mulhey, jun. Joab Springer, Jonathan Mulhey, Philip Williams, Onsbey Carney and Moses Winters, 59 days each, 3l. 18s. 8d.	-	-	-	55 14 0
Lewis Crane, John Crane, John Harris, sen. and James Harris, 59 days each, 3l. 18s. 8d.	-	-	-	15 14 8
Benjamin Drake, James Beets, Isaac Lindsay, Benjamin Rice and John M'Farland, 49 days each, 3l. 5s. 4d.	-	-	-	16 6 8
Arthur Onsby, David Irwin, Nicholas Edwards, Nicholas Rice, Samuel Martin, George Miller, James Kelley, William Nettles, Thomas Ramsey, James Richardson, James McClem, Thomas Fowler, James Hamilton, John Harris, jun. Thomas Smith, John Nowland, James Smith, George Coon, James Williams, William Lane, William Rice, sen. Henry Whitner, Lewis Whitner and Isaac Rounceval, 93 days each, 6l. 4s.	-	-	-	148 16 0
Henry Richardson, 93 days,	-	-	-	6 4 0
David Hunter, 53 days,	-	-	-	3 10 8
To James M'Farland, for a bay horse, appraised to	-	-	-	11 0 0

*Resolved, as the opinion of this committee,* That the said claims are reasonable, and that the respective claimants ought to be allowed by the public for the same.

*Ordered,* That the said report and resolution do lie upon the table.

A bill "for the relief of certain parishes against expenses which may be incurred by the poor," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, on the tenth day of August next, resolve itself into a committee of the whole House, to consider of the said bill.

*Ordered*, That the committee to whom the bill "to prevent houses and other private property from being taken for the use of the soldiery, and to oblige quartermasters to furnish tents or barracks for such officers and soldiers as may be thought necessary for any particular station," be discharged from proceeding thereupon.

A bill "to confirm the Kentucky election," was read a second time.

*Ordered*, That the bill be engrossed.

*Ordered*, That the Speaker be desired to issue a writ for the election of delegates to serve in this present General Assembly for the county of Monongalia, there having been no election for the said county.

*Resolved, nemine contradicente*, That it be an instruction to the delegates representing this Commonwealth in General Congress, to recommend to Congress that they would be pleased, in addition to the just and honorable testimony they have already given of the military abilities and exceeding great merit of the late hon. Brigadier General Mercer, to make some suitable provision for his widow and children, unprovided for, who, it is to be feared, are left in distressed circumstances. That they also recommend to Congress the widow and family of Major Andrew Leitch, who also fell in battle, nobly contending for the liberties of America.

*Ordered*, That Mr. Nicholas do carry the resolution to the Senate, and desire their concurrence.

Mr. Riddick reported, from the committee appointed to inquire into the conduct of the keeper of the public jail, that the committee had inquired accordingly, and had directed him to report the matter as it appeared to them, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, from the testimony of Capt. John Morton, that having once an order to take a prisoner out of the public jail, he came to the prison, and presenting it, a son of Mr. Pelham's directed a negro to take the keys and fetch the prisoner; that there were at that time other prisoners in confinement, and that a son of Mr. Pelham's was in the outer room.

It also appears to your committee, from the information of Mr. Strother (one of the committee) that on Sunday se'nnight, last, some time before sunset, he came to the public jail, in company with the treasurer, and some other gentlemen, when sending to desire admittance to see a prisoner there, they were informed by the messenger (a little boy) he would be glad they would defer seeing him that day, and come another time; but they desiring to be then admitted, the boy returned, brought the keys, and they were accordingly let in.

It farther appears to your committee, from the information of Mr. Riddick, (one other of the committee) that on Sunday night last, he brought a prisoner to the jail, and that it was near an hour before Mr. Pelham would get up to give him admittance, and that when he did come, he appeared to be much disguised with liquor.

It likewise appears to your committee, from the testimony of Mr. Benjamin Powell, that whenever any thing was wanting, to render the prison more secure, he had always been applied to by Mr. Pelham; that he is of opinion the jail is now as secure as it has been these 15 years past, and that he does not believe, without conveniences, any man could break through it; that he has frequently, for a considerable time past, been at the said prison to examine the repairs it required, before as well as since Mr. Pelham became jailer, and never discovered any deficiency in his management, or a negro employed or entrusted with the keys; that he has often been early in the morning to the prison, but never could obtain admittance but when Mr. Pelham was present; that he has sometimes been obliged to return in a morning without getting in, otherwise knows no failure in Mr. Pelham's conduct. That he never saw him disguised with liquor in his own house, though sometimes, as other men, cheerful when abroad, and in company. That he thought him always particularly careful in examining if the prisoners had any instruments about them. And that he is farther of opinion that the number of people in and about the prison afford at this time a much greater opportunity of conveying in instruments for the use of those confined than formerly.

It farther appears to your committee, from the testimony of Mr. Thomas Russel, that he lived with Mr. Pelham, as an assistant in the jail, near seven months, during which Mr. Pelham was as diligent as any man. The prisoners were well treated. That Mr. Pelham was always very cautious in giving directions to the deponent. That in his time there were no escapes, and that he never saw him in liquor while he stayed.

It also appears to your committee, from the testimony of Mr. James Galt, that the deponent was once jailer himself, and thinks it impossible at times to prevent escapes. That things may be thrown over the wall, or otherwise conveyed, and the jailer be utterly incapable of preventing it.

It farther appears to your committee, from the testimony of Dr. Galt, that he has long been acquainted with Mr. Pelham, and has frequently attended as a surgeon at the jail. That Mr. Pelham's conduct has always been careful. That he has also been acquainted with several of the former jailers, and knows that escapes have been made under their management as well as under his.

It likewise appears to your committee, from the testimony of Mr. Blovet Pasteur, that he was born in this place, and does not remember one jailer during whose management some escapes have not been made. That he thinks escapes have lately been more frequent, but he believes it is accounted for by the great increase of prisoners, and has the highest opinion of Mr. Pelham's principles as a friend to American freedom.

It farther appears to your committee, from the testimony of Mr. James Geddy, that he has had a long intimate



acquaintance with Mr. Pelham, and can vouch for his humanity and sobriety. That he thinks the great number of prisoners these times afford offer sufficient reason for more frequent escapes than usual, and that he does not believe they have been more, in proportion to the number of prisoners, than in former times.

It also appears to your committee, from the testimony of Mr. Bartlett Williams, that some time before the last court of Oyer and Terminer, being employed as a lawyer in defence of several prisoners, he had frequent occasion to visit the jail. That he had always observed Mr. Pelham's conduct to be careful and diligent, and never saw him in liquor during his said attendance, and that he does not recollect ever to have seen a negro entrusted with the keys.

It likewise appears to your committee, from the testimony of Mr. James Southall, that he was appointed by Convention, among others, to examine into Mr. Pelham's conduct, which he found exceeding fair, both as to his care of the prisoners and the jail. That he remembers several escapes have happened in the time of former jailers, and that he does not believe it is possible to find the means by which they were supplied with the instruments of their enlargement.

It likewise appears to your committee, from the information of Mr. Joseph Prentis, that he also was one of the number appointed with Mr. Southall for inquiring into Mr. Pelham's conduct. That they found the prisoners well pleased with their treatment, and that they looked very well.

Your committee likewise find, in the course of their inquiry, that one Littleton Ward, a prisoner confined as an enemy to this country, is too much at large in the said jail, which may be attended, among other bad consequences, with his using the opportunity of supplying such others, as are more closely confined, with the instruments and means of procuring their escape.

Whereupon your committee came to the following resolution :

*Resolved, as the opinion of this committee,* That from the number of escapes which have happened during the management of Mr. Pelham, and which they conceive have been owing to his want of care, he ought to be discharged from his office of keeper of the public jail.

The said resolution being read a second time, and the question being put, that the House do agree with the committee in the said resolution,

It passed in the negative.

The House proceeded to take into consideration the amendments made by the Senate to the bill, entitled, "an act for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes;" and the same were read, and are as followeth :

Page 1st, line 2d; leave out from the word "that" to the word "and" in the 16th line, and insert "any two of the militia in any county, city or borough, who shall, before the first day of October next, procure one able bodied soldier, other than an apprentice or servant, within the time of his conviction or indenture, and those employed in the public manufactories of fire arms, to serve for the term of three years, or during the present war, in either of the first nine battalions raised within this Commonwealth, and shall deliver such recruit to any officer in one of the said battalions, taking his receipt, which such officer is hereby required to grant, and also procuring the certificate of the justice before whom such recruit shall be sworn, shall be exempted from all draughts whatever, and from attending private and general musters in the respective militia to which they belong, which exemption shall continue during the term for which such recruit shall be enlisted; and the recruit so enlisted shall be entitled to and receive the continental bounty, and other allowances, over and above all private gratuities. Provided, that the number of soldiers so enlisted shall not exceed the twentieth part of the militia of each county, city or borough within this Commonwealth." 18th, after the word "works," insert "and there employed at the public manufactory of fire arms." 29th, after the word "record," insert "and to prevent soldiers being unjustly detained, it shall not be lawful for the clerk of any county, or other inferior court, to issue a writ against any such soldier until the plaintiff hath made oath to the justness of the demand, and that the debt was contracted prior to the enlistment of such soldier, a certificate of which affidavit shall be endorsed on the back of the writ." 44th, leave out "twenty-fifth," and insert "tenth;" and leave out "July," and insert "August."

Page 2, line 2d; leave out "twenty-fifth," and insert "tenth;" and leave out "July," and insert "August." Leave out "general musters," and insert "the field officers;" and after the word "militias," insert "and the four first magistrates in the commission of the peace, not being field officers." 3d, leave out the word "other," and insert "said;" and leave out from the word "the" in the second place to the word "having" in the 4th line, and insert "said magistrates, or any two of them." 8th, leave out the words "and all absentees."

Page 2d, line 9th; leave out the word "three," and insert "four." 12th, leave out the word "and." 15th, leave out the word "three," and insert "fifteen;" and leave out from the word "officers" to the word "act," in the 17th line, and insert "and magistrates as aforesaid, having made themselves acquainted with the situation and circumstances of each division, shall meet." 19th, leave out the words "and secrecy." 22d, leave out "five pounds," and insert "fifty shillings." 30th, leave out from the word "officers" to the word "magistrates" in the 31st line, and insert the word "and." 31st, after the word "magistrates," insert "as aforesaid." 34th, leave out the words "call such general musters," and insert "summon the field officers and magistrates as before directed." 35th, leave out from the word "every" to the word "and" in the second place in the 30th line, and insert "field officer and magistrate failing to attend, as before directed, shall for each failure, without a sufficient excuse, forfeit and pay the sum of one hundred pounds, to be recovered with costs, in the court of the county where such delinquent resides, by action



of debt or information, by any person suing for the same, one moiety to be appropriated to the use of the person suing, and the other moiety to the use of this Commonwealth."

Page 3d, line 24th; after the word "soldiers," insert "who cannot by their own industry support themselves."

At the end of the act add, "*And be it further enacted*, that when it shall be found necessary to march the battalion of artillery to be raised by virtue of this act to the assistance of any other State, the pay of the officers and soldiers of the said battalion shall be equal to the pay of artillery officers and soldiers in the continental service, so long as they continue in that service."

"And whereas several negro slaves have deserted from their masters, and, under pretence of being freemen, have enlisted as soldiers: for prevention whereof, *Be it enacted*, that it shall not be lawful for any recruiting officer within this Commonwealth to enlist any negro or mulatto into the service of this, or either of the United States, until such negro or mulatto shall produce a certificate, from some justice of the peace for the county wherein he resides, that he is a freeman."

X The said amendments being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

Ordered, That Mr. Starke do carry the bill to the Senate, and acquaint them that this House doth agree to the amendments made by them to the said bill.

Ordered, That the public printer do immediately print 300 copies of the said bill, for the use of the several counties.

Mr. Richard Henry Lee reported, from the committee to whom the bill "for altering the bounds of the counties of Montgomery and Washington" was committed, that the committee had gone through the bill, and made an amendment thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendment in at the clerk's table, where the amendment was twice read, and, upon the question put thereupon, agreed to by the House.

Ordered, That the bill, with the amendment, be engrossed.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate do agree to the free conference desired by this House, and have appointed three of their members, who are now ready in the conference chamber to meet the managers to be appointed by this House, And then he withdrew.

Resolved, That Messrs. Starke, Nicholas, Richard Henry Lee, Braxton, Mason and Henry, do manage the conference.

And they went up to the conference accordingly; and being returned, Mr. Nicholas reported, from the conference, that the managers had attended the Senate, and heard their reasons for insisting on the second amendment to the bill entitled, "an act for encouraging the making of salt."

Resolved, That this House doth insist on their disagreement to the said amendment.

Ordered, That Mr. Nicholas do carry the bill to the Senate, and inform them that this House doth insist upon their disagreement to the said amendment.

An engrossed bill, "for establishing a loan office for the purpose of borrowing money for the use of this Commonwealth," was read the third time.

Resolved, That the bill do pass, and that the title be "an act for establishing an office for the purpose of borrowing money for the use of this Commonwealth."

Ordered, That Mr. Bullitt do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Carrington:

X MR. SPEAKER,—The Senate, do recede from their 2d amendment to the bill entitled, "an act for encouraging the making of salt." And also,

The Senate are ready to proceed, by joint ballot with this House, to the choice of five justices of Oyer and Terminer, for the trial of the criminals now in the public jail. And then he withdrew.

The order of the day being read, for the House to proceed, by joint ballot with the Senate, to the choice of five justices of Oyer and Terminer for the trial of criminals now in the public jail,

The House nominated several persons to be ballotted for,

Ordered, That Mr. Starke do carry a list of the persons so nominated to the Senate.

A message from the Senate by Mr. Taylor:

MR. SPEAKER,—I am directed by the Senate to lay before this House a list of the persons who have been nominated by them for the office of justices of Oyer and Terminer. And then he withdrew.

Ordered, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed one of the justices of Oyer and Terminer.

Ordered, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

Ordered, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Fitzhugh, Acrill, Braxton, Adams and Ruffin; and they are to withdraw immediately.

*Ordered*, That Mr. Fitzhugh do acquaint the Senate therewith.

Mr. Fitzhugh reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Richard Cary, Esq.	64	For Lewis Burwell, Esq.	7
George Webb, Esq.	8	Daniel Fisher, Esq.	2
Thomas Everard, Esq.	7	William Holt, Esq.	2

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed another of the justices of Oyer and Terminer.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Fitzhugh, Acrill, Braxton, Adams and Ruffin; and they are to withdraw immediately.

*Ordered*, That Mr. Fitzhugh do acquaint the Senate therewith.

Mr. Fitzhugh reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For William Holt, Esq.	43	For Thomas Everard, Esq.	5
Lewis Burwell, Esq.	28	Augustine Claiborne, Esq.	4
George Webb, Esq.	9	Bernard Moore, Esq.	2
Daniel Fisher, Esq.	7		

And it appearing, from the report of the committee, that neither of the persons therein mentioned hath a majority of both Houses, the House proceeded to ballot between the said William Holt and Lewis Burwell, Esquires, they standing foremost on the list.

*Ordered*, That that the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the said William Holt and Lewis Burwell, Esquires, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Fitzhugh, Acrill, Braxton, Adams and Ruffin; and they are to withdraw immediately.

*Ordered*, That Mr. Fitzhugh do acquaint the Senate therewith.

Mr. Fitzhugh reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

For William Holt, Esq.	55
Lewis Burwell, Esq.	42

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed another of the justices of Oyer and Terminer.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Fitzhugh, Acrill, Braxton, Adams and Ruffin; and they are to withdraw immediately.

*Ordered*, That Mr. Fitzhugh do acquaint the Senate therewith.

Mr. Fitzhugh reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Bernard Moore, Esq.	52	For Thomas Everard, Esq.	3
Lewis Burwell, Esq.	28	Augustine Claiborne, Esq.	3
Daniel Fisher, Esq.	7	Nathaniel Burwell, Esq.	2
George Webb, Esq.	5		

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed another of the justices of Oyer and Terminer.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Fitzhugh, Acrill, Braxton, Adams and Ruffin, and they are to withdraw immediately.

*Ordered*, That Mr. Fitzhugh do acquaint the Senate therewith.

Mr. Fitzhugh reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Lewis Burwell, Esq.	31	For George Webb, Esq.	12
Daniel Fisher, Esq.	31	Thomas Everard, Esq.	1
Augustine Claiborne, Esq.	22		

And it appearing, from the report of the committee, that neither of the persons therein mentioned hath a majority of both Houses, the House proceeded to ballot between the said Lewis Burwell and Daniel Fisher, Esquires, they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed another of the justices of Oyer and Terminer.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the said Lewis Burwell and Daniel Fisher, Esquires, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Fitzhugh, Acrill, Braxton, Adams and Ruffin; and they are to withdraw immediately.

*Ordered*, That Mr. Fitzhugh do acquaint the Senate therewith.

Mr. Fitzhugh reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Daniel Fisher, Esq.	60	For Lewis Burwell, Esq.	40
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*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed the other of the justices of Oyer and Terminer.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Fitzhugh, Acrill, Braxton, Adams and Ruffin; and they are to withdraw immediately.

*Ordered*, That Mr. Fitzhugh do acquaint the Senate therewith.

Mr. Fitzhugh reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the



several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Augustine Claiborne, Esq.	39	For Nathaniel Burwell, Esq.	5
Lewis Burwell, Esq.	34	Thomas Everard, Esq.	1
George Webb, Esq.	14	William Pasteur, Esq.	1

And it appearing from the report of the committee, that neither of the persons therein mentioned hath a majority of both Houses, the House proceeded to ballot between the said Lewis Burwell and Daniel Fisher, Esquires, they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed another of the justices of Oyer and Terminer.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the said Augustine Claiborne and Lewis Burwell, Esquires, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Fitzhugh, Acrill, Braxton, Adams and Ruffin; and they are to withdraw immediately.

*Ordered*, That Mr. Fitzhugh do acquaint the Senate therewith.

Mr. Fitzhugh reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read and is as followeth:

For Augustine Claiborne, Esq.	62	For Lewis Burwell, Esq.	35
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*Resolved*, That the said Richard Cary, William Holt, Bernard Moore, Daniel Fisher and Augustine Claiborne, Esquires, be appointed justices of Oyer and Terminer, in pursuance of the act entitled, "an act for appointing commissioners of Oyer and Terminer for the trial of criminals now in the public jail, and for other purposes," they having been chosen by joint ballot of both Houses.

*Ordered*, That Mr. Fitzhugh do carry the resolution to the Senate, and desire their concurrence.

An engrossed bill, "for altering the bounds of the counties of Montgomery and Washington," was read a third time.

*Resolved*, That the bill do pass, and that the title be "an act for altering the bounds of the counties of Montgomery and Washington."

*Ordered*, That Mr. William Cocke do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to support the credit of the money issued by authority of Congress and by authority of this Commonwealth, and to make the former current within this Commonwealth," was read a third time.

*Resolved*, That the bill do pass, and that the title be "an act to support the credit of the money issued by authority of Congress and by authority of this Commonwealth, and to make the former current within this Commonwealth."

*Ordered*, That Mr. Bullitt do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Fleming:

MR. SPEAKER,—The Senate have agreed to the bill entitled "an act for confirming a codicil annexed to the last will and testament of John Barr, deceased, respecting certain slaves, without any amendment. And also,

The Senate have agreed to the bill entitled "an act to empower the vestry of the parish of Botetourt to dispose of their glebe, for dissolving the said vestry, and for other purposes," without any amendment. And also,

The Senate have agreed to the bill entitled "an act for the encouragement of iron works," with an amendment, to which amendment the Senate desire the concurrence of this House. And also,

The Senate have agreed to the resolution of this House appointing Richard Henry Lee, Esq. a delegate to represent this state in Congress from the 11th of August next until the 10th of May following. And also,

The Senate have agreed to the resolution for paying to the public printer six hundred pounds per annum. And also,

The Senate have agreed to the resolution for appointing Alexander Purdie printer to this commonwealth.

For allowing Chesle Woodward *Sl. 2s. 6d.*

The House proceeded to take into consideration the amendments made by the Senate to the bill "for establishing a loan office for the purpose of borrowing money for the use of the United States, and appointing a commissioner for superintending the same.

And the said amendments were read, and are as followeth, viz:

Line 21st, after the word "she" leave out the words "shall be." 29th, leave out the word "seven" in the second place, and insert "six."

The said amendments being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Bullitt do carry the bill to the Senate, and acquaint them that this House hath agreed to the amendments made by them to the said bill.

*Resolved*, That the Governor, with the advice of the Privy Council, for the more speedily making up the battalions heretofore ordered by this Assembly to join Gen. Washington's army, be authorised to turn over the men enlisted by such officers as have been discontinued, or enlisted the fewest men, to such officers as have come the nearest completing their respective quotas, preferring such recruits as have enlisted for three years.

*Ordered*, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence.

The order of the day being read, for the House to resolve itself into a committee of the whole House to consider of the bill, "to prevent the forgery of certain warrants and certificates,"

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one, and, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill with the amendments be engrossed.

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House to consider of the bill "to discourage desertion, and to punish persons harboring or entertaining deserters."

*Ordered*, That the report of the committee of the whole House on the bill, "to oblige the male white inhabitants of this State to give assurance of allegiance to the same, and for other purposes," be received to-morrow.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House to take into their farther consideration the state of the Commonwealth.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to establish a mode for the speedy and summary recovery of such sums of money as are or may become due to the public, and for enforcing all contracts entered into with government."

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution of this House empowering the Governor to turn over the men enlisted by such officers as have been discontinued, or enlisted the fewest men, to such officers as come nearest completing their quotas. And then he withdrew:

And then the House adjourned till to-morrow morning, 9 o'clock.

## FRIDAY, June 27, 1777.

The Speaker laid before the House, an inventory sent to him of the furniture for the palace purchased by Dudley Diggs, John Blair, Thomas Evcard and Edmund Randolph, Esquires, pursuant to a resolution of the general Convention of the 5th of July last.

*Ordered*, That the said inventory do lie upon the table.

An engrossed bill, "to confirm the Kentucky election," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act to confirm the Kentucky election."

*Ordered*, That Mr. William Cocke do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for preventing the forgery of certain warrants and certificates," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for preventing the forgery of certain warrants and certificates, and other purposes."

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for the more regular laying off the borough of Norfolk," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for the more regular laying off the borough of Norfolk."

*Ordered*, That Mr. Curle do carry the bill to the Senate, and desire their concurrence.

Mr. Nicholas, according to order, reported from the committee of the whole House, to whom the bill "to oblige the male white inhabitants of this State to give assurance of allegiance to the same, and for other purposes," was committed, the amendments which the committee had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one, and, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill, with the amendments be engrossed.

A message from the Senate by Mr. Bland:

MR. SPEAKER,—The Senate have agreed to the bill entitled "an act for establishing an office for the purpose of borrowing money for the use of the Commonwealth." And then he withdrew.

Mr. Fleming reported, from the committee to whom the bill "to amend an act entitled 'an act for reviving several public warehouses for the reception of tobacco, and for other purposes,'" was committed, that the committee had

gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one, and upon the question severally put thereupon, agreed to by the House.

Ordered that the bill with the amendments be engrossed.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill entitled “an act to support the credit of the money issued by authority of Congress and by authority of this Commonwealth, and to make the former current within this Commonwealth,” with an amendment, to which amendment the Senate desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Taylor:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House relating to the estate of Lord Dunmore. And also,

The Senate have agreed to the resolution of this House “for appointing justices of Oyer and Terminer for the trial of the criminals now in the public jail.” And then he withdrew.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have agreed to the bill entitled “an act for the more regular laying off the borough of Norfolk,” with several amendments, to which amendments they desire the concurrence of this House; and also, the Senate have passed the late treasurer's accounts. And also,

The Senate have agreed to the resolution of this House that the forgeries imposed on the late treasurer shall not be considered as his private loss. And then he withdrew.

A message from the Senate by Mr. Fleming:

MR. SPEAKER,—The Senate have agreed to the bill entitled “an act to confirm the Kentucky election.” And also,

The Senate have agreed to the bill “for altering the bounds of the counties of Montgomery and Washington.” And then he withdrew.

Ordered, That a committee be appointed to inquire into the services of Col. George Gibson, Capt. William Lynn and those who accompanied them to New Orleans, and also of the messengers employed by them on that occasion.

And a committee was appointed, of Messrs. Syme, Bullitt and Mason.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the bill entitled “an act for preventing the forgery of certain warrants and certificates, and other purposes.” And also,

The Senate have agreed to the resolution of this House giving instructions to our delegates in General Congress, that they recommend to Congress the making a suitable provision for the widow and children, unprovided for, of Brig. Gen. Mercer, and the widow and family of Maj. Andrew Leitch. And then he withdrew.

The House proceeded to take into consideration the amendments made by the Senate to the bill entitled “an act for the more regular laying off the borough of Norfolk;” and the said amendments were read, and are as followeth, viz:

Page 2, line 2d; leave out “five,” and insert “twenty.” Leave out “jury,” and insert “day.” Line 3d, leave out “summon and.”

The said amendments being read a second time, were, upon the question severally put thereupon, agreed to by the House.

Ordered, That Mr. Curle, do carry the bill to the Senate, and acquaint them that this House hath agreed to the amendments made by them.

The House proceeded to take into consideration the amendment made by the Senate to the bill entitled “an act to support the credit of the money issued by the authority of Congress and by the authority of this Commonwealth, and to make the former current within this Commonwealth;” and the said amendment was read, and is as followeth, viz:

At the end of the bill, add, “and whereas many sums of money are now due and owing upon bills, bonds, and protested bills of exchange, to many persons, who to avoid the force of a tender, and avail themselves of the interest, do put or place the said specialties into the hands of persons not authorised to receive the money due thereupon: For remedy whereof, *Be it enacted*, that a tender in any money made current here, to any person holding or being possessed of any bill, bond, or protested bill of exchange, of the principal, and all interest due thereon, by the person or persons owing the same, shall be a legal tender, and upon a refusal shall be an extinguishment of the interest; or where the debtor cannot discover who hath the possession of the specialty by which he or she stands indebted, a tender of the principal and interest to the factor with whom the debt was contracted, shall in like manner avail such debtor, and extinguish the interest.”

The said amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

Ordered, That Mr. Bullitt, do carry the bill to the Senate, and acquaint them that this House hath agreed to the amendment made by them.



A bill "for farther continuing an act entitled 'an act for the farther continuance of certain powers given to the Governor and Council, by an ordinance of the last Convention,'" was read a second time.

*Resolved*, That the bill be committed to Messrs. Nicholas and Fleming.

The order of the day being read, for the House to resolve itself into a committee of the whole House to consider of the bill "to establish a mode for the speedy and summary recovery of such sums of money as are or may become due to the public, and for enforcing all contracts entered into with government,"

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas reported, from the committee, that they had directed him to report the bill to the House, without any amendment; and he delivered the bill in at the clerk's table.

*Ordered*, That the bill be engrossed.

Mr. Nicholas reported, from the committee to whom the bill "for farther continuing an act entitled 'an act for the farther continuance of certain powers given to the Governor and Council, by an ordinance of the last Convention,'" was committed, that the committee had gone through the bill, and made an amendment thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendment in at the clerk's table, where the amendment was twice read, and, upon the question put thereupon, agreed to by the House.

*Ordered*, That the bill with the amendment be engrossed.

*Resolved*, That the Governor, with the advice of the Privy Council, be authorised to adopt, for the care of the sick soldiers of this Commonwealth, as far as circumstances and situation admit and render necessary, the continental arrangement for the military medical department; and that the rank and pay of the director, surgeons, and other persons employed in the hospitals of this State, be the same as those of the deputy directors, surgeons, and others employed in the service of the continent.

*Ordered*, That Mr. Richard Henry Lee, do carry the resolution to the Senate, and desire their concurrence.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill "to prevent desertion, and to punish persons harboring or entertaining deserters,"

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Nicholas took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Nicholas, reported from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one, and, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill with the amendments be engrossed.

An engrossed bill, "to oblige the male white inhabitants of this State, to give assurance of allegiance to the same, and for other purposes," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act, to oblige the free male inhabitants of this State, above a certain age, to give assurance of allegiance to the same, and for other purposes."

*Ordered*, That Mr. Meriwether do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Rodgers:

4 Mr. SPEAKER,—The Senate have agreed to the resolution of this House, authorising the Governor, with the advice of the Privy Council, to adopt, for the care of the soldiers of this Commonwealth, the continental arrangement for the military medical department. And then he withdrew.

An engrossed bill, "for farther continuing an act, entitled 'an act, for the farther continuance of certain powers given to the Governor and Council by an ordinance of the last Convention,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act, for farther continuing an act, entitled 'an act, for the farther continuance of certain powers given to the Governor and Council by an ordinance of the last Convention,' and for other purposes."

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to amend an act, entitled 'an act, for reviving several public warehouses, for the reception of tobacco,' and for other purposes," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act, to amend an act, entitled 'an act, for reviving several public warehouses for the reception of tobacco,' and other purposes."

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

*Resolved*, That Mr. Gabriel Maupin, keeper of the public magazine, be allowed for his services, a salary of one hundred pounds per annum, to be computed from the time his allowance was settled by the last Assembly.

*Ordered*, That Mr. Nicholas do carry the resolution to the Senate, and desire their concurrence.

An engrossed bill, "to establish a mode for the speedy and summary recovery of such sums of money as are, or may become due to the public, and for enforcing all contracts entered into with government," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act, to establish a mode for the speedy and summary recovery of such sums of money as are or may become due to the public, and for enforcing all contracts entered into with government."

*Ordered*, That Mr. Bullitt do carry the bill to the Senate, and desire their concurrence.

*Resolved*, That the Governor and Privy Council be empowered to contract with any person within this Commonwealth, for good muskets, with steel or iron ramrods, bayonets and sheaths, upon the same terms as they are authorised to do with Mr. James Hunter by a resolution of this General Assembly, provided they be of equal quality.

*Ordered*, That Mr. Bullitt do carry the resolution to the Senate, and desire their concurrence.

The Speaker laid before the House, a letter from Thomas Nelson, Esq. declining to accept the office of a Privy Counsellor.

And the said letter was read.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of a Privy Counsellor, in the room of Thomas Nelson, Esq. who hath declined the said appointment.

*Ordered*, That Mr. Braxton do acquaint the Senate therewith.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for farther continuing an act, entitled 'an act, for the farther continuance of certain powers given to the Governor and Council, by an ordinance of the last Convention,' and for other purposes." And also,

The Senate have agreed to the bill, entitled "an act, to amend an act, entitled 'an act, for reviving several public warehouses for the reception of tobacco,' and other purposes." And then he withdrew.

A message from the Senate by Mr. Carrington :

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, to establish a mode for the speedy and summary recovery of such sums of money as are or may become due to the public, and for enforcing all contracts entered into with government." And then he withdrew.

An engrossed bill, "to discourage desertion, and to punish persons harboring or entertaining deserters," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act, to discourage desertion, and to punish persons harboring or entertaining deserters."

*Ordered*, That Mr. Fleming, do carry the bill to the Senate, and desire their concurrence.

And then the House adjourned till to-morrow morning, 9 o'clock.

## SATURDAY, June 28, 1777.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, to discourage desertion, and to punish persons harboring or entertaining deserters." And then he withdrew.

The House proceeded to take into consideration, the report of the committee of Public Claims made on Thursday last, and ordered to lie on the table ; and the same was read, and the resolution therein contained, for payment of sundry claims for executed slaves, and other matters drawn up and stated in an account thereof, was agreed to.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the following allowances be made to the officers of the General Assembly.

To the Rev. James Madison, chaplain,	-	-	-	£ 48	0	0
To Mr. John Tazewell, clerk of the House of Delegates,	-	-	-	250	0	0
To Mr. John Pendleton, clerk of the Senate,	-	-	-	100	0	0
To Mr. Edmund Pendleton, clerk of the committees of Privileges and Elections and Propositions and Grievances,	-	-	-	75	0	0
To Mr. Hinde Russell, clerk of the committee of Public Claims,	-	-	-	137	10	0
To Mr. John Beckley, clerk of the committees for Courts of Justice and Trade,	-	-	-	60	0	0
To Mr. William Dandridge, clerk of the committee for Religion,	-	-	-	60	0	0
To Mr. Freeman Eppes, sergeant at arms to the House of Delegates,	-	-	-	75	0	0
To Mr. Bartlett Williams, serjeant at arms to the Senate,	-	-	-	75	0	0
To Robert Hyland, John Creagh, William Hicks, and William Drinkard, door-keepers to the House of Delegates, each	-	-	-	35	0	0
To Thomas Paul and William Rose, jun. door-keepers to the Senate, each,	-	-	-	35	0	0
To Robert Hyland, for his other services,	-	-	-	20	0	0
To Mr. Benjamin Powell, for cleaning the Capitol,	-	-	-	15	0	0
To ditto, for his farther services,	-	-	-	20	0	0

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the treasurer do pay the members of the General Assembly, who are willing to receive the same for their constituents, the several sums of money allowed them this present session of Assembly.

*red*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

Mr. Syme reported, from the committee appointed to inquire into the services of Col. George Gibson, Capt. William Lynn, and of those who accompanied them to New Orleans, and also of the messengers employed by them on that occasion, that the committee had accordingly inquired into their said services, and had directed him to report the same, together with the resolutions of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, that Col. George Gibson and Capt. William Lynn, in the month of May, 1776, being officers in the continental service, the one a captain and the other a lieutenant, set out from Williamsburg with expresses from Maj. Gen. Lee to the Governor of New Orleans; that they left Fort Pitt on the 19th of July, with three sergeants, three corporals, and nine privates. It further appears to your committee, that Col. Gibson, in discharging the trust reposed in him, conducted himself with great prudence, and actually obtained from the said Governor, for the use of the Commonwealth, twelve thousand pounds of gunpowder for the price of eighteen hundred dollars; that Capt. Lynn, having employed as many men as made his party, in the whole forty-three, left New Orleans on the 22d of September, and arrived at Wheeling with the powder on the 2d day of May last. It farther appears to your committee, that Capt. Lynn and his whole party, on their return, suffered many hardships, and ran considerable risk of their lives from inimical Indians; that Capt. Lynn sent two expresses into the inhabitants from the river Ozganges, who passed many miles through a desert and hostile country, and arrived safely about the 20th of last April; that Col. Gibson took shipping at New Orleans the 10th of October, and arrived at Philadelphia, from whence he proceeded to Virginia.

*Resolved, as the opinion of this committee*, That Col. Gibson conducted this affair with great prudence; but as he has lately received preferment in the military line in this Commonwealth, they consider that as a compensation, and that it is better to confine the idea of rewarding services by the military in that way than any other.

*Resolved, as the opinion of this committee*, That Capt. Lynn be allowed the sum of 50*l.* over and above the pay of 8*s.* per day, which he has already received.

*Resolved, as the opinion of this committee*, That the two expresses be allowed the sum of 25*l.* each, over and above the pay of 2*s.* 8*d.* per day, which they have already received.

*Resolved, as the opinion of this committee*, That the seven other soldiers, who went down from Fort Pitt, be allowed the sum of 4*d.* per day, over and above the pay of 2*s.* 8*d.* per day, which they have already received.

*Resolved, as the opinion of this committee*, That Andrew M'Clure be allowed the sum of 20*l.* over and above what has been allowed him already, as clerk.

*Ordered*, That Mr. Syme do carry the resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolution of this House empowering the Governor and Council to contract for the purchase of muskets, without any amendment. And also,

The Senate have agreed to the resolution of this House for making an allowance to Gabriel Maupin, keeper of the public magazine, with an amendment, to which amendment the Senate desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have agreed to the bill entitled, "an act to oblige the free male inhabitants of this State above a certain age to give assurance of allegiance to the same, and for other purposes," with several amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

The House proceeded to take into consideration the amendments made by the Senate to the bill, entitled "an act to oblige the free male inhabitants of this State above a certain age to give assurance of allegiance to the same, and for other purposes;" and the said amendments being read a second time, were, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Meriwether do carry the bill to the Senate, and acquaint them that this House hath agreed to the amendments made by them to the said bill.

*Ordered*, That the public printer do, without delay, print one copy of the act "to oblige the free male inhabitants of this State above a certain age to give assurance of allegiance to the same, and for other purposes" for each magistrate within this Commonwealth, together with a sufficient number of certificates, and send the same to the several counties.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the resolution of this House for payment of sundry claims for executed slaves, and other matters drawn up and stated in an account thereof. And then he withdrew.

A message from the Senate by Mr. Winston:

MR. SPEAKER,—The Senate have agreed to the resolution of this House for paying to the officers of the General Assembly the several sums of money therein mentioned. And also, the Senate have agreed to the resolutions of this House for paying to Capt. Lynn the sum of 50*l.*, the two expresses employed by him the sum of 25*l.* each, the seven soldiers who went down from Fort Pitt 4*d.* per day, and to Andrew M'Clure the sum of 20*l.*, over and above what they have already received. And then he withdrew.

*Resolved*, That the treasurer of this Commonwealth be directed to pay to the Rev. William Bland the sum of 50*l.* for his salary as ordinary of the public jail for one year, which ended the last day of April last, and also the



annual sum of 50*l*. to commence from the said last day of April, by half yearly payments, so long as he the said William Bland shall be continued in that office.

*Ordered*, That Mr. Mason do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Rodgers :

MR. SPEAKER,—The Senate have agreed to the resolution of this House directing the treasurer to pay to the members of the General Assembly the several sums of money allowed their constituents this session of Assembly, with an amendment, to which amendment the Senate desire the concurrence of this House. And then he withdrew.

Mr. Fleming reported, from the committee appointed to examine the enrolled bills, that the committee had examined the enrolled bills, and rectified such mistakes as were found therein ; and that they are truly enrolled.

*Ordered*, That Mr. Fleming do carry the enrolled bills to the Senate, for their inspection.

The order of the day being read, for the House to proceed, by joint ballot with the Senate, to the choice of a member of the Privy Council, or Council of State, in the room of Thomas Nelson, jun. Esq. who hath declined the said appointment ;

Several persons were nominated as proper to be ballotted for.

*Ordered*, That Mr. Richard Henry Lee do carry a list of the persons so nominated to the Senate.

A message from the Senate by Mr. Carrington :

MR. SPEAKER,—The Senate are now ready to proceed, by joint ballot with this House, to the choice of a member of the Privy Council in the room of Thomas Nelson, jun. Esq. ; and have no person to add to the list of persons nominated by this House.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed a member of the Privy Council, or Council of State.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets ; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Braxton, Rose, Syme and Wills ; and they are to withdraw immediately.

Mr. Braxton reported, from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House ; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and it appearing from the report of the committee there was a majority of both Houses in favor of Thomas Adams, Esq. ;

*Resolved*, That the said Thomas Adams, Esq. be appointed a member of the Privy Council of this Commonwealth in the room of Thomas Nelson, Esq. he having been chosen to that office by joint ballot of both Houses.

*Ordered*, That Mr. Richard Henry Lee do carry the resolution to the Senate, and desire their concurrence. The House proceeded to take into consideration the amendment made by the Senate to the resolution for increasing the salary of the keeper of the public magazine ; and the same was read, and is as followeth, viz : Line 1st. ; after the word " that," leave out to the word " to" in the third line, and insert " for compensating Gabriel Maupin, as keeper of the public magazines in and near Williamsburg, that he be allowed the rank and pay of a captain."

The said amendment being read a second time, was, upon the question put thereupon agreed to by the House.

*Ordered*, That Mr. Bullitt do carry the resolution to the Senate, and acquaint them that this House hath agreed to the amendment made by them to the said resolution.

*Ordered*, That the Speaker be desired to issue his warrants for the election of delegates for the counties of Fluvanna and Powhatan.

A message from the Senate by Mr. Holt :

MR. SPEAKER,—The Senate have inspected the enrolled bills, and are satisfied they are truly enrolled ; and they are signed by the Speaker of the Senate. And also,

The Senate have agreed to the resolutions of this House directing the payment of the several sums of money therein mentioned to Lewis Burwell and Thomas Adams, Esquires, and to the Reverend William Bland. And also,

The Senate have agreed to the resolution of this House appointing Thomas Adams, Esq. a member of the Privy Council, or Council of State, in the room of Thomas Nelson, jun. Esq. And then he withdrew.

The House proceeded to take into consideration the amendment made by the Senate to the resolution empowering the treasurer to pay to the members of the General Assembly the several sums allowed their constituents this session.

And the said amendment being twice read, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and acquaint them that this House hath agreed to the amendment made by them to the said resolution.

The Speaker of this House then signed the public and private bills following, viz.

" An act for regulating and disciplining the militia."

"An act for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes."

"An act to oblige the free male inhabitants of this State above a certain age to give assurance of allegiance to the same, and for other services."

"An act for establishing a loan office, for the purpose of borrowing money for the use of the United States, and appointing a commissioner for superintending the same."

"An act for establishing an office for the purpose of borrowing money for the use of this Commonwealth."

"An act to discourage desertion, and to punish persons harboring or entertaining deserters."

"An act for providing against invasions and insurrections."

"An act limiting the time for continuing the delegates to General Congress in office and making provision for their support, and for other purposes."

"An act to establish a mode for the speedy and summary recovery of such sums of money as are or may become due to the public, and for enforcing all contracts entered into with government."

"An act to support the credit of the money issued by authority of Congress and by the authority of this Commonwealth, and to make the former current within this Commonwealth."

"An act for preventing the forgery of certain warrants and certificates, and for other purposes."

"An act for the encouragement of iron works."

"An act for appointing commissioners of Oyer and Terminer for the trial of the criminals now in the public jail, and for other purposes."

"An act for farther continuing an act entitled 'an act for the farther continuance of certain powers given to the Governor and Council by an ordinance of the last Convention, and for other purposes'."

"An act for encouraging the making of salt."

"An act for farther suspending the payment of the salaries heretofore given to the clergy of the church of England."

"An act for regulating and disciplining the militia of the city of Williamsburg and borough of Norfolk."

"An act for the more regular laying out the borough of Norfolk."

"An act to confirm the Kentucky election."

"An act for dissolving the vestries of several parishes."

"An act to empower the vestry of the parish of Botetourt to dispose of their glebe, for dissolving the said vestry, and for other purposes therein mentioned."

"An act for confirming a codicil annexed to the last will and testament of John Barr, deceased, respecting certain slaves."

"An act to permit the trustees of the Academy of Hampden Sidney, in the county of Prince Edward, to raise a sum of money by lottery for certain purposes."

"An act for dividing the county of Cumberland."

"An act for dividing the county of Albemarle and parish of St. Anne."

"An act for adding part of the county of Charlotte and parish of Cornwall, to the county of Lunenburg and parish of Cumberland."

"An act for appointing commissioners to inquire into and ascertain the losses sustained by the late inhabitants of the borough of Norfolk."

"An act for altering the bounds of the counties of Montgomery and Washington."

"An act to amend an act entitled 'an act for reviving several public warehouses for the reception of tobacco, and for other purposes.'"

"An act to establish several new ferries, and for discontinuing others."

And then the House adjourned until the third Monday in October next, then to meet at the Capitol in the city of Williamsburg, or at such other place as the Governor and Council may appoint.

# JOURNAL

OF THE

## HOUSE OF DELEGATES

OF THE

COMMONWEALTH OF VIRGINIA;

BEGUN AND HELD AT THE CAPITOL,

IN THE CITY OF WILLIAMSBURG,

*ON MONDAY, THE TWENTIETH DAY OF OCTOBER, IN THE YEAR OF OUR  
LORD ONE THOUSAND SEVEN HUNDRED AND SEVENTY-SEVEN.*

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RICHMOND:

PRINTED BY THOMAS W. WHITE, OPPOSITE THE BELL-TAVERN.

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# JOURNAL

OF THE

## HOUSE OF DELEGATES.

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*GENERAL ASSEMBLY, begun and holden at the Capitol, in the City of Williamsburg, on Monday, the twentieth day of October, in the year of our Lord one thousand seven hundred and seventy-seven.*

---

MONDAY, October 20, 1777.

The House met according to their adjournment; and several members returned upon new writs, having taken the oath appointed by law to be taken, took their seats in the House; but there not being a sufficient number of members to proceed to business,

The House adjourned till to-morrow morning, 10 o'clock.

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TUESDAY, October 21, 1777.

The House met according to their adjournment; but there not being a sufficient number of members to proceed to business,

The House adjourned till to-morrow morning, 10 o'clock.

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WEDNESDAY, October 22, 1777.

The House met according to their adjournment, and forty-six members besides the Speaker appearing,

*Ordered*, That the House be called over immediately.

The House being accordingly called over; the names of the members who failed to appear were noted, and the names of those who made default being again called over, some were excused on account of sickness, employments in the service of the public elsewhere, and other justifiable avocations.

*Ordered*, That the members who are absent, and for whom no excuses or insufficient excuses have been made, be sent for.

*Ordered*, That the serjeant at arms attending this House, take into his custody, John Poag, member for the county of Augusta, Charles Lynch, member for the county of Bedford, Patrick Lockhart and John Bowyer, members for the county of Botetourt, John Cabell, member for the county of Buckingham, William Hubbard, member for the county of Charlotte, Birkitt Davenport, member for the county of Culpepper, Beverley Randolph and Joseph Carrington, members for the county of Cumberland, Abraham Bird, member for the county of Dunmore, Miles King, member for the county of Elizabeth city, John Edmondson and William Smith, members for the county of

Essex, George Mason and Philip Alexander, members for the county of Fairfax, Thomas Napier, member for the county of Fluvanna, Isaac Zane, member for the county of Frederick, John Woodson, member for the county of Goochland, John Syme, member for the county of Hanover, Richard Adams, member for the county of Henrico, Robert Hairstone, member for the county of Henry, John Scasbrook Wills and Charles Fulgham, members for the county of Isle of Wight, Carter Braxton and Dandridge Claiborne, members for the county of King William, Thompson Mason, member for the county of Loudoun, John Glenn and Thomas Pettus, members for the county of Lunenburg, Henry Deloney and Joseph Speed, members for the county of Mecklenburg, Beverley Daniel and James Montague, members for the county of Middlesex, Walter Crockett and John Montgomerie, members for the county of Montgomery, Willis Riddick and William Cowper, members for the county of Nansemond, William Eskridge and Daniel Muse, members for the county of Northumberland, William Moore and Charles Porter, members for the county of Orange, Peter Perkins, member for the county of Pittsylvania, John Morton, member for the county of Prince Edward, Edmund Ruffin, jun. member for the county of Prince George, William Robinson, member for the county of Princess Anne, Cuthbert Ballitt, member for the county of Prince William, William Smith, member for the county of Richmond, Henry Taylor, member for the county of Southampton, Beverley Winslow and George Thornton, members for the county of Spottsylvania, Charles Carter, member for the county of Stafford, and Henry Gee and Gray Judkins, members for the county of Sussex.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, October 23, 1777.

The House being informed that Mr. Henry Gee, one of the members for the county of Sussex, attended in custody of the serjeant at arms;

*Ordered*, That the said Henry Gee be discharged out of custody, paying fees.

The House being informed that Mr. Charles Porter, one of the members for the county of Orange, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence when the House was called over yesterday;

*Ordered*, That the said Charles Porter be discharged out of custody, without paying fees.

There not being a sufficient number of members to proceed to other business,

The House adjourned till to-morrow morning, 10 o'clock.

#### FRIDAY October 24, 1777.

The House being informed that Mr. Thomas Pettus, one of the members for the county of Lunenburg, Mr. Joseph Carrington, one of the members for the county of Cumberland, and Mr. Patrick Lockhart, one of the members for the county of Botetourt, attended in custody of the serjeant at arms;

*Ordered*, That the said Thomas Pettus, Joseph Carrington and Patrick Lockhart be discharged out of custody, paying fees.

The House being informed that Mr. John Glenn, one of the members for the county of Lunenburg, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence when the House was called over on Wednesday last;

*Ordered*, That the said John Glenn be discharged out of custody, without paying fees.

*Ordered*, That Mr. Fleming have leave to be absent from the service of this House until Monday next.

A member returned upon a new writ, having taken the oath appointed by law to be taken, took his seat in the House.

There not being a sufficient number of members to proceed to other business,

The House adjourned till to-morrow morning, 10 o'clock.

#### SATURDAY, October 25, 1777.

The House being informed, that Mr. Henry Deloney, one of the members of the county of Mecklenburg, Mr. John Morton, one of the members for the county of Prince Edward, Mr. Walter Crockett and Mr. John Montgomerie, members for the county of Montgomery, Mr. Beverley Randolph, one of the members for the county of Cumberland, and Mr. Charles Fulgham, one of the members for the county of Isle of Wight, attended in custody of the serjeant at arms;

*Ordered*, That the said Henry Deloney, John Morton, Walter Crockett, John Montgomerie, Beverley Randolph and Charles Fulgham, be discharged out of custody, paying fees.



The House being informed that Mr. Abraham Bird, one of the members for the county of Dunmore, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence when the House was called over on Wednesday last ;

*Ordered*, That the said Abraham Bird be discharged out of custody, without paying fees.

There not being a sufficient number of members to proceed to other business,

The House adjourned till Monday morning, 10 o'clock.

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MONDAY, October 27, 1777.

The House being informed that Mr. Cuthbert Bullitt, one of the members for the county of Prince William, Mr. Birkitt Davenport, one of the members for the county of Culpeper, Mr. John Edmondson, one of the members for the county of Essex, and Mr. Richard Adams, one of the members for the county of Henrico, attended in custody of the serjeant at arms ;

*Ordered*, That the said Cuthbert Bullitt, Birkitt Davenport, John Edmondson and Richard Adams, be discharged out of custody, paying fees.

There not being a sufficient number of members to proceed to other business,

The House adjourned till to-morrow morning, 10 o'clock.

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TUESDAY, October 28, 1777.

The House being informed that Mr. Willis Riddick and Mr. William Cowper, members for the county of Nansemond, and Mr. John Scasbrook Wills, one of the members for the county of Isle of Wight, attended in custody of the serjeant at arms ;

*Ordered*, That the said Willis Riddick, William Cowper and John Scasbrook Wills, be discharged out of custody, paying fees.

There not being a sufficient number of members to proceed to other business,

The House adjourned till to-morrow morning, 10 o'clock.

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WEDNESDAY, October 29, 1777.

The House met according to their adjournment ; but there not being a sufficient number of members to proceed to business,

The House adjourned till to-morrow morning, 10 o'clock.

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THURSDAY, October 30, 1777.

The House being informed that Mr. Carter Braxton, one of the members for the county of King William, Mr. Miles King, one of the members for the county of Elizabeth City, Mr. William Robinson, one of the members for the county of Princess Anne, and Mr. Edmund Ruffin, jun. one of the members for the county of Prince George, attended in custody of the serjeant at arms ;

*Ordered*, That the said Carter Braxton, Miles King, William Robinson and Edmund Ruffin, jun. be discharged out of custody, paying fees.

The House being informed, that Mr. Thomas Pettus, one of the members for the county of Lunenburg, who was ordered to be discharged out of custody of the serjeant at arms, paying fees, on Friday last, had good cause for being absent when the House was called over on the twenty-second day of this month ;

*Ordered*, That the serjeant at arms do return to the said Thomas Pettus the fees received for taking him into custody.

*Ordered*, That the Rev. James Madison, be appointed chaplain to this House, and that he attend to read prayers at nine o'clock, every morning, in the House.

*Ordered*, That Mr. Richard Lee do go to the Senate, and acquaint them that the Rev. James Madison is appointed chaplain to this House, and that he will attend to read prayers at 9 o'clock, every morning, in the House.

*Ordered*, That Mr. John Tazewell be appointed clerk to this House.

*Ordered*, That Mr. Freeman Eppes be appointed serjeant at arms to this House.

*Ordered*, That Robert Hyland, William Hicks, John Creagh and William Driukard, be appointed door keepers to this House, and that they give their attendance accordingly.

*Ordered*, That a committee for Religion be appointed.

And a committee was appointed, of Messrs. Braxton, Richard Lee, Starke, Fleming, Adams, Jefferson, Nicholas, Bullitt, Anderson, Norvell, Burwell, Harrison of Charles City, Prentiss, Meriwether and Cary, and they are to meet and adjourn from day to day, and to take under their consideration all matters and things relating to religion and morality, and all such as shall be from time to time referred to them, and report their proceedings, with their opinions thereupon, to the House; and the said committee are to have power to send for persons, papers and records, for their information.

*Ordered*, That a committee of Privileges and Elections be appointed.

And a committee was appointed, of Messrs. Nicholas, Harrison of Charles City, Richard Lee, Fleming, Starke, Gen. Nelson, Bullitt, Meriwether, James Speed, Cowper, Booker, Burwell, Braxton, Riddick, Thoroughgood, Jefferson and Harrison of Prince George, and they are to meet and adjourn from day to day, and to examine, in the first place, all returns of writs for electing delegates to serve in this present General Assembly, and compare the same with the form prescribed by law, and to take into their consideration all such matters as shall or may come in question touching returns, elections and privileges, and to report their proceedings, with their opinions thereupon, from time to time, to the House; and the said committee, are to have power to send for persons, papers and records, for their information.

*Resolved*, That in all cases of controverted elections to be heard at the bar of this House, or before the committee of Privileges and Elections, the petitioners do, by themselves or by their agents within a convenient time, to be appointed either by the House or the committee of Privileges and Elections, as the matter to be heard shall be before the House or the said committee, deliver to the sitting members or their agents, lists of the persons intended by the petitioners to be objected to, who voted for the sitting members, giving in the said lists the several heads of objection, and distinguishing the same against the names of voters excepted to, and that the sitting members do, by themselves or their agents, within the same time, deliver the like lists on their parts, to the petitioners or their agents.

*Ordered*, That a committee of Propositions and Grievances be appointed.

And a committee was appointed, of Messrs. Harrison of Charles City, Nicholas, Strother, Wilkinson, Norvell, Braxton, Gen. Nelson, Bolling, Prentiss, Bullitt, Jefferson, Terry, Coleman, Starke and Godfrey, and they are to meet and adjourn from day to day, and to take into their consideration all propositions and grievances that shall come, legally certified, to this Assembly, and to report their proceedings, with their opinions thereupon, from time to time, to the House; and all such propositions and grievances are to be delivered to the clerk of the House, and by him to the said committee of course. And the said committee are to have power to send for persons, papers and records, for their information.

*Ordered*, That a committee of Public Claims be appointed.

And a committee was appointed, of Messrs. Richard Lee, Adams, Terry, Meriwether, Davenport, Anderson, Wilkinson, Gee, Fulgham, Fleming, Talbot, Gordon, Webb, Edmondson, Kello, Jett, Dabney and Underwood. And they are to meet and adjourn from day to day, and to take into their consideration, all public claims referred from the last to this session of Assembly; and also, all such claims as shall be regularly certified and presented to this session, and to report their proceedings, with their opinions thereupon, to the House, when they have gone through the said claims; and all persons that have any claims, are to deliver them to the said committee of course, and they are to have power to send for persons, papers and records for their information.

*Ordered*, That a committee for Courts of Justice be appointed.

And a committee was appointed, of Messrs. Fleming, Bullitt, Strother, Booker, Jefferson, Griffin, Starke, Prentiss, Robinson, Randolph, Rose and Edmondson, and they are to meet and adjourn from day to day, and to take into their consideration all matters relating to Courts of Justice, and such other matters as shall, from time to time, be referred to them, and report their proceedings, with their opinion thereupon, to the House; and the said committee are to inspect the Journals of the last session, and draw up a state of the matters then depending and undetermined, and the progress that was made therein, and report the same to the House, and also examine what laws have expired since the last session, and inspect such temporary laws as will expire with the end of this session, or are near expiring; and report the same to the House, with their opinions which of them are fit to be revived and continued; and the said committee are to have power to send for persons, papers and records, for their information.

*Ordered*, That a committee of Trade be appointed.

A committee was appointed of Messrs. Gen. Nelson, Harrison of Charles City, Braxton, Anderson, Davenport, Adams, Richard Lee, Jett, King and Webb, and they are to meet and adjourn from day to day, and to take into their consideration all things relating to the trade of this colony, and all matters that shall be from time to time to them referred, and to report their proceedings, with their opinions thereupon, to the House; and the said committee are to have power to send for persons, papers and records, for their information.

*Resolved*, That eleven of the committee of Propositions and Grievances, seven of the committee of Privileges and Elections, and five of any other committee, be a sufficient number to make a committee.

*Ordered*, That Mr. William Russell be appointed clerk to the committee for Religion, Mr. Edmund Pendleton, jun. clerk to the committees of Privileges and Elections and Propositions and Grievances, Mr. Hinde Russell, clerk to the committee of Claims, and Mr. William Drew, clerk to the committees for Courts of Justice and of Trade.

A petition and memorial of sundry inhabitants of the county of Fluvanna, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the first Thursday in August last, being the court day for the said county, Wilson Miles Cary, John Ware, Roger Thompson, William Henry, George Thompson, Thomas Napier, Jesse Burton and Martin Key, gentlemen, justices of the peace for the said county, attended, and that after swearing in Mr Key sheriff of the said county, the next business was to appoint a clerk; that the candidates for that office, were Mr. Francis Eppes Harris, Mr. John Timberlake and Mr. John Cobbs; that the first person voted for was Mr. Harris, and after one or two votes in his favor, Mr. Henry introduced Mr. Cobbs as a purchaser, who said he was willing to give 250*l*. for the place; that this brought on a debate on the legality of selling the clerkship; that Mr. Henry, the two Mr. Thompsons and Mr. Burton, argued in favor of selling, and being opposed by Messrs. Cary and Ware, who urged it to be directly against law, and productive of the most evil consequences, then endeavoured to convert the idea of selling into that of giving the place to any one who should make a present to the county of 250*l*. That the question was then put, whether the office should be sold or not, and that all but Mr. Henry, were against selling; that the question was then put who should be appointed clerk, and the voices for Mr. Harris were, Messrs. Cary, Napier and Ware; for Mr. Cobbs, Messrs. Henry, George Thompson and William Burton; that the votes being thus equally divided, Mr. Roger Thompson after deliberating some time, said he must in consideration of the 250*l*. agreeable to the instruction of the people, give his vote in favor of Mr. Cobbs; that during the whole time this matter was under consideration, Mr. Cobbs did not disavow himself a purchaser, and that as the majority bestowed the clerkship upon that gentleman, who was wholly unacquainted with the business of a clerk's office, in preference to Mr. Timberlake and Mr. Harris, who were recommended as persons well versed and qualified for the business, they cannot but conclude the office was sold, or as it was urged, given to Mr. Cobbs in consideration of his making a free donation to the county of 250*l*.; and praying that an inquiry may be made into the said transaction, and such procedure taken therein as may be just and reasonable.

*Ordered*, That the said petition and memorial do lie upon the table, to be perused by the members of the House.

*Ordered*, That the Speaker be desired to issue his writ for the election of a delegate for the county of Caroline, in the room of Mr. Thomas Lowry, who hath accepted the office of sheriff of the said county.

*Ordered*, That leave be given to bring in a bill, "for establishing a Court of Appeals," and that Messrs. Jefferson, Richard Lee, Bullitt, Nicholas, Griffin, Harrison of Charles City, Braxton, Randolph, Fleming, Robinson, Prentiss and Starke, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "for establishing a General Court and Courts of Assize," and that Messrs. Jefferson, Richard Lee, Bullitt, Nicholas, Griffin, Harrison of Charles City, Braxton, Randolph, Fleming, Robinson, Prentiss and Starke, do prepare and bring in the same.

A petition of Benjamin Bohon, was presented to the House and read; setting forth, that though aged, infirm and in very low circumstances, he cheerfully consented to his sons entering into the minute service, in which they, together with their companion William Twisdel, were taken sick and rendered unfit for duty, that at some expense he got them to his house in Orange, where they lay sick and helpless for a considerable time, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Anne Bolling was presented to the House, and read; setting forth, that she had three sons in the minute and regular service, who were taken sick, that shortly after, one of them died at her house, and that the other two, who survived their illness, are now in the regular service; and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Richard Morton was presented to the House, and read; setting forth, that his son Jarot Morton, a regular soldier in Captain Taylor's company, was taken ill about thirteen months ago, and has remained in a very low state of health ever since, and that the petitioner being a very poor man, is unable to maintain his said son, prays such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the members of the court of Washington county, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that from the connexions in trade between the inhabitants of the said county and the inhabitants of the county of Washington, in North Carolina, it proves very inconvenient to them that both those courts should be held on the same day, and praying that the court for the said county of Washington in this State, may be held on the third Tuesday in every month.

*Ordered*, That leave be given to bring in a bill pursuant to the prayer of the said petition, and that Messrs. Bledsoe and Harrison of Charles City, do prepare and bring in the same.

Mr. Bullitt, one of the members for the county of Prince William, informed the House, that some proceedings of the court of that county against him for publishing a certain advertisement the sixth day of this month, which were injurious to his reputation and public character, had been transmitted to the Governor.

*Ordered*, That a message be sent to the Governor, desiring him to lay the said proceedings, with the papers therein mentioned and referred to, before the House.



*Ordered*, That Mr. Richard Lee do wait upon the Governor with the message.

A motion being made, that a supply be provided for the public exigencies,

*Resolved*, That this House will, upon Tuesday next, resolve itself into a committee of the whole House, to consider of that motion.

*Ordered*, That leave be given to bring in a bill "for establishing a High Court of Chancery," and that Messrs. Jefferson, Richard Lee, Bullitt, Nicholas, Griffin, Harrison of Charles City, Braxton, Randolph, Fleming, Robinson, Prentis and Starke, do prepare and bring in the same.

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, October 31, 1777.

The House being informed that Mr. William Smith, one of the members for the county of Essex, and Mr. James Montague, one of the members for the county of Middlesex, attended in custody of the serjeant at arms;

*Ordered*, That the said William Smith and James Montague, be discharged out of custody, paying fees.

*Ordered*, That Mr. Jett have leave to be absent from the service of this House until Monday fortnight next.

The Speaker laid before the House, two letters from the Governor, stating several matters for the consideration of the General Assembly, and referring to papers delivered to him therewith,

And the said letters and papers were read.

*Ordered*, That the said letters and papers do lie upon the table, to be perused by the members of the House.

A petition of John Brown was presented to the House, and read; setting forth, that he hath supplied the soldiers belonging to Col. James Wood's regiment, with rations to the amount of one thousand six hundred and ninety, at eight pence per ration, by which he must be a considerable loser; and praying such relief, as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the vestry of the parish of Beckford in the county of Dunmore, was presented to the House, and read; setting forth, that in the act of Assembly for dividing the parish of Frederick into three distinct parishes, called by the names of Frederick, Norbone, and Beckford, it was directed that the vestries of the parishes of Frederick and Norbone, should respectively account for and pay unto the parish of Beckford, a proportionable part of the first cost of two churches in the said parishes, according to the number of tithables: but that from some neglect or oversight of the said parishes of Frederick and Norbone, the directions of the said act were not pursued, nor were the sums due from those parishes ascertained or paid; that the vestries of the said parishes, applied to a subsequent Assembly, and on a representation that the churches in the parishes of Frederick and Norbone, were very little superior in value to two chapels built in the parish of Beckford before the division, obtained an act, to have the churches in each of the parishes, and the two chapels, valued by commissioners therein named, whereby they have been greatly prejudiced; and praying that the vestries of the parishes of Frederick and Norbone may be empowered and instructed to levy on the inhabitants of their respective parishes, and pay unto the petitioners their proportionable part of the first cost of the churches in each of the said parishes.

*Ordered*, That the said petition be referred to the committee for Religion, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the vestry of the parish of Saint Patrick, in the county of Prince Edward, was presented to the House, and read; setting forth, that from the length of time the glebe lands belonging to the said parish have been in cultivation, they are become greatly washed and for the most part worn out; that the small part remaining uncleared, is very inconveniently situated, and not stocked with wood sufficient to keep up the necessary repairs; that they apprehend it will be advantageous to the minister of the said parish, as well as to the inhabitants in general, if the vestry are empowered to dispose of the said glebe; that an opportunity now offers of doing it greatly to the advantage of the parish, as well as to the satisfaction of the incumbent; and praying that an act may pass, empowering the vestry of the said parish to dispose of the said glebe, and to apply the money arising from a sale thereof, to the purchasing other lands which will better answer the purpose.

*Ordered*, That leave be given to bring in a bill pursuant to the prayer of the said petition, and that Messrs. Morton and Terry do prepare and bring in the same.

The Governor having laid before the House, the proceedings of the court of the county of Prince William against Mr. Cuthbert Bullitt, one of the members for the said county, with the papers therein mentioned and referred to, according to the message of Thursday last,

A motion was made, and the question being put that the said proceedings, with the papers therein mentioned and referred to, be referred to the consideration of a committee,

It passed in the negative.

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, November 1, 1777.

Two members returned upon a new writ, having taken the oath appointed by law to be taken, took their seats in the House.

The House being informed that Mr. Beverley Daniel, one of the members for the county of Middlesex, and Mr. Gray Judkins, one of the members for the county of Sussex, were unable to attend by sickness when the House was called over on the twenty-second day of last month, and who were ordered to be taken into custody of the serjeant at arms;

*Ordered*, That the order for taking the said Beverley Daniel and Gray Judkins into custody, be discharged.

*Ordered*, That the House be called over immediately.

The House being accordingly called over, the names of the members, who having been in the House this session, now failed to appear, were noted, and the names of those who so made default being again called over, some were excused on account of sickness, employments in the service of the public elsewhere, and other justifiable avocations.

*Ordered*, That Mr. John Smith, one of the members for the county of Frederick, and Mr. Charles Fulgham, one of the members for the county of Isle of Wight, who are absent, and for whom no excuse have been made, be reprimanded by the Speaker in their places.

*Ordered*, That Messrs. John Smith and Charles Fulgham, do attend in their places upon morning next.

The Speaker laid before the House, a letter from Benjamin Harrison, Esq. of Charles City, returning his thanks to the House for the repeated honor conferred on him, by appointing him one of their delegates to the General Congress, and requesting he may be permitted to retire from that service, assuring the House that nothing but his ill state of health, and distressed state of his family, would have induced him to have asked that favor.

And the said letter was read.

*Ordered*, That the said letter do lie upon the table.

A petition of Margaret Gambel, was presented to the House, and read; setting forth, that her husband James Gambel, enlisted as a soldier in the continental service, under Capt. Thomas Nelson, and marched with the troops to Philadelphia, where he died, leaving herself with two small children, who are in distressed circumstances, and having nothing to subsist on but the produce of her labor; and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of William Terrell, was presented to the House, and read; setting forth, that about the eighteenth of August last, he lost one of his wagon horses, then employed in the service of this State to carry arms from Suffolk to Portsmouth, which horse was, in the month of May last, appraised to 40*l.*, and praying such allowance for the said horse as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House being informed that Mr. John Corbley, one of the members returned to serve in this present General Assembly for the county of Monongalia, is a minister of the gospel; Mr. Corbley was heard in his place upon the subject matter of the said information, and confessed himself to be a preacher of the gospel, but alleged that he received no stipend or gratuity for performing that function; and then he withdrew.

And the question being put, that Mr. John Corbley is capable of being elected a member of this House,

It passed in the negative.

*Resolved*, That Mr. John Corbley is not duly elected to serve in this present General Assembly, as a delegate for the county of Monongalia.

*Ordered*, That the Speaker be desired to issue a new writ, for the election of a delegate, to serve in this present General Assembly for the county of Monongalia, in the room of Mr. John Corbley, who being a minister of the gospel, is incapable of being elected a member of this House.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, November 3, 1777.

The House being informed that Mr. Thomas Napier, one of the members for the county of Fluvanna, Mr. John Syme, one of the members for the county of Hanover, Mr. Robert Hairstone, one of the members for the county of Henry, and Mr. William Eskridge, one of the members for the county of Northumberland, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse their absence when the House was called over on the 22d day of October last;

*Ordered*, That the said Thomas Napier, John Syme, Robert Hairstone and William Eskridge, be discharged out of custody, without paying fees.

The House being informed that Mr. John Woodson, one of the members for the county of Goochland, attended in custody of the serjeant at arms;



*Ordered*, That the said John Woodson be discharged out of custody, paying fees.

*Ordered*, That the petition and memorial of sundry inhabitants of the county of Fluvanna, presented to the House on the thirtieth day of October last, and ordered to lie upon the table, be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, as it shall appear to them, together with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Orange, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the just defence of America against its cruel enemies, having made the emission of large sums of paper money absolutely necessary, they now judge it highly expedient that taxes should be imposed and collected as the only means of supporting the credit thereof; that they are of opinion that a tax on land by the acre, is unequal in general, and in many cases very greatly so, and therefore unjust; that they consider lands as a proper subject of taxation, but that the tax ought to be in proportion to the value of the land; that there are, however, objections to any articles being taxed to the exclusion of others; and therefore praying that all taxes may be by assessment on visible property, in proportion to the value.

*Ordered*, That the said petition be referred to the committee of the whole House, to whom it is referred to consider of the motion for providing a supply for the public exigencies.

A petition of Margaret Douglass, was presented to the House, and read; setting forth, that though a poor woman, she cheerfully consented her son George Douglass should enlist as a soldier in the service of his country, which he accordingly did; that in September, 1776, hearing he lay sick in Williamsburg, she came down, and at considerable trouble and expense removed him home, where he lay sick till the middle of February following, when he recovered and returned to his duty; that she is little able to bear the expense, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same with their opinion thereupon to the House.

A petition of Thomas Tinnell, was presented to the House, and read; setting forth, that, though in low circumstances, he cheerfully consented that two of his sons should enter into the service of his country; that soon after they enlisted, they were both taken sick, and for a considerable time rendered unable to do duty; that he was at considerable expense and trouble with them while they lay sick; and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Thomas Johnson, jun. was presented to the House, and read; setting forth, that he was appointed a captain in the county of Louisa, and raised his quota of men, and when about to march to join his regiment, he hired a cart and two steers of Charles Yancey, to carry the baggage as far as Cambridge, and afterwards he was under the necessity of carrying them to Fredericksburg, as he could not get any other carriage to convey the baggage; that after he had discharged the cart and steers, on their return home the two steers died; in consequence of which he has been obliged to pay 1*l.* 12*s.*, together with 2*l.* 13*s.* 6*d.*, the costs of a suit brought against him in the county court of Louisa; and praying that the said sums of money may be repaid him.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Robert Campbell, was presented to the House, and read; setting forth, that he enlisted in Captain Thompson's company, upon the expedition against the Indians in the year 1774, and when stationed at the house of Colonel Evan Shelby, was wounded in the left arm by a gun, which was fired accidentally, and had one of the bones of his arm so shattered that he has lost the use thereof, and is rendered incapable of getting a livelihood by labor, by which means he is reduced to poverty, and even to want the common necessities of life; and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the treasurer do lay his accounts before the House.

*Ordered*, That a message be sent to the Governor, to desire that he will lay before the House, an estimate of the public expenses for the current year.

*Ordered*, That Mr. Richard Lee do carry the said message.

*Ordered*, That the commissioners of the navy do lay before the House, an estimate of the expenses of the navy for the current year.

*Ordered*, That a committee be appointed to examine into, and report the state, progress and expense of the several public salt works.

And a committee was appointed of Messrs. Starke, Eskridge, Burwell, Page, Nelson, Prentiss, Westwood, King, Riddick, Cowper, Wills, Fulgham and Webb.

*Ordered*, That the treasurer be empowered and required as soon as he conveniently can, to procure wherever it may be had, as much proper paper as will probably suffice for printing the laws of this Commonwealth, and for future emissions of paper money.

*Ordered*, That Mr. Starke do carry the order to the Senate, and desire their concurrence.

The House being informed that Mr. John Smith, one of the members for the county of Frederick, who was absent



when the House was called over on Saturday last, and was ordered to be reprimanded by the Speaker in his place, had good cause for his absence;

*Ordered*, That the order for reprimanding the said John Smith, be discharged.

*Resolved, nemine contradicente*, That the thanks of this House be given to General Nelson, for his services to the Commonwealth, as commander of the forces thereof.

And thereupon, Mr. Speaker gave General Nelson, he standing in his place, the thanks of the House, as follows:

GENERAL NELSON,—The representatives of your country, are ever disposed to pay proper attention to distinguished merit; your acceptance of the appointment to command the forces of the Commonwealth, in the manner you did, shewed you to have been actuated by noble principles and generous motives; and your exemplary diligence and alertness in performing the duty, were such as become a virtuous citizen and a good officer. To inculcate this useful lesson, that the best way to gain applause is to deserve it, the House have unanimously come to a resolution, which I feel a pleasure in communicating to you, equal to the honor you derive from it; it is this:

*Resolved, nemine contradicente*, That the thanks of this House be given to General Nelson, for his services to the Commonwealth, as commander of the forces thereof.

To which General Nelson answered:

MR. SPEAKER,—So honorable a testimony that my conduct hath been approved by my country, will make a lasting impression upon me. I assure the House, that as it is my chief ambition to deserve the good opinion of my fellow-citizens, so it shall be my study and endeavor to secure a continuance of it, by faithfully discharging my duty, in any office, civil or military, they may think me worthy of.

*Ordered*, That General Nelson have leave to be absent from the service of this House until Friday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, November 4, 1777.

Several other members having taken the oath appointed by law to be taken, took their seats in the House.

A petition of James Duncan, Richard Reeves and William Grills, was presented to the House, and read; setting forth, that being on the Fort Pitt station, they were ordered to escort a quantity of provisions for the garrison at Fort Randolph, and that the boat in which the provisions were, running on shore, on the night of the 25th of December last, was stove, by which each of the petitioners lost their rifles, together with sundry clothing; and praying such compensation as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Lee reported to the House, that their message of yesterday, desiring the Governor would lay before the House, an estimate of the public expenses of the current year, had been presented to him; and that he had directed him to acquaint the House, it should be laid before them as soon as it could be prepared.

A petition of David Donnan, was presented to the House, and read; setting forth, that having applied to the Assembly, in 1775, for the value of two negro slaves, who were unfortunately burnt in the jail of Prince George county, on the 15th of February in that year, his application was thought reasonable by the committee of Public Claims: but on their report, rejected by the House; that however, being still of opinion he has been deprived of his property by the authority of the law, he begs leave to renew his application; and praying such relief as shall be thought reasonable.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee;

It passed in the negative.

A petition of sundry inhabitants of the county of Mecklenburg, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the ferry established at Royster's, on Roanoke river, is found very inconvenient to the petitioners, the landing being now on an island belonging to Col. Harwood, on the north side of the said river, from whence they are obliged to cross a creek, frequently rendered impassable by sudden rains; and praying that a ferry may be established from the lands of Sir Peyton Skipwith, Baronet, on the south side of the river, to the lands of the said Skipwith, on the north side thereof, which will be much more convenient than the present ferry.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of James Dunn, was presented to the House, and read; setting forth, that in the month of January last, he was possessed of a negro slave, who ranaway and got on board of Lord Dunmore's fleet, and being afterwards taken prisoner, was, by order of the commanding officer, then at Norfolk or Princess Anne, sent to Williamsburg, from whence she was, by order of the Convention or committee of Safety, either sent to the lead mines or the saltpetre works; and praying that the said slave may be returned to him, and a reasonable hire allowed for the time the said slave was detained in the country's service;

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of William Lawson was presented to the House, and read; setting forth, that his wagon was impressed into the service of this State, as a baggage wagon, for the militia of Halifax, that he found forage during the whole time, and has only been allowed 15s. per day, a sum much inferior to what individuals would have given; and praying, that the House would make him such further allowance as they may think just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Hugh Nelson, have leave to be absent from the service of this House, until Thursday fortnight.

A petition from sundry inhabitants of the town of Suffolk, in the county of Nansemond, was presented to the House, and read; setting forth, that some time in the year 1775, when the officers and soldiers were stationed at the said town, many houses therein were chosen by the commanding officer for barracks, and were greatly damaged by the soldiers, as were the gardens thereunto belonging; and praying that persons may be appointed to view the damage done to the said houses and gardens, and to make report thereof, that the sufferers may receive adequate satisfaction;

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the Rev. James Madison, be desired to prepare a suitable sermon, to be delivered in the afternoon of the day appointed for public thanksgiving, for the victory obtained over our enemies.

A petition of sundry inhabitants of Culpeper county, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that to give proper credit to paper currency, it is necessary that the funds for sinking the same should be established on the most equitable principles, which they humbly apprehend is not the case, when a tax is laid indiscriminately on the landed property of this State, there being a very great difference in the value thereof, arising from its situation and fertility; that the lands of the meaner quality are generally possessed by the poor, and, untaxed, require their utmost industry and labor to acquire therefrom a bare subsistence, while the possessors of the rich lands obtain the most plentiful crops, and are thereby enabled to enjoy not only all the comforts of life, but to make annual additions to their estates; and praying, that the ordinance for levying a land and poll tax, may be repealed, and instead thereof, an act passed to tax each man in proportion to his real and personal estate.

*Ordered*, That the said petition be referred to the committee of the whole House, on the motion for a supply for the public exigencies.

The order for the day being read, the House resolved itself into a committee of the whole House, to consider of the motion "that a supply be granted for the public exigencies."

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported from the committee, that they had made some progress in the matter to them referred, and had directed him to move that they may have leave to sit again.

*Resolved*, That this House will, upon Tuesday next, resolve itself into a committee of the whole House, to consider further of the said motion.

The treasurer, according to order, laid his accounts before the House.

*Ordered*, That the said accounts do lie upon the table to be perused by the members of the House.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, November 5, 1777.

The House being informed that Mr. John Bowyer, one of the members for the county of Botetourt, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence when the House was called over on the 22d day of October last;

*Ordered*, That the said John Bowyer be discharged out of custody, without paying fees.

*Ordered*, That Messrs. Jefferson and Braxton have leave to be absent from the service of this House until Monday next.

*Ordered*, That Mr. Acrill have leave to be absent from the service of this House until Saturday next.

*Ordered*, That Mr. Adams have leave to be absent from the service of this House until Thursday se'nnight.

The House being informed that Mr. Fulgham, one of the members for the county of Isle of Wight, who was absent when the House was called over on Saturday last, and was ordered to be reprimanded by the Speaker in his place, had good cause for his absence;

*Ordered*, That the said order for reprimanding the said Mr. Fulgham be discharged.

A petition of sundry inhabitants of the counties of Montgomery and Washington, whose names are thereunto



subscribed, was presented to the House and read; praying that ten tracts of land of at least one thousand acres each in a square, be laid off for townships along and as near the river Ohio and also as near some navigable part thereof, and equal distance from each other as may be found convenient; whereby the said townships may become proper trading towns in future, and prove a more useful barrier against the Indians than forts.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Morton presented to the House, according to order, a bill "to empower the vestry of Saint Patrick's parish in the county of Prince Edward to sell the glebe of the said parish, and to lay out the money in purchasing a more convenient glebe," and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

Several petitions of sundry inhabitants of the counties of Augusta and Botetourt, whose names are thereunto subscribed, setting forth, that they labor under great inconveniences from the extent of the said counties, which may be remedied by laying off a new county, beginning in Augusta at David Moore's plantation, and running thence by a northwest line to the North Mountain, and to be bounded westwardly from Rannix's plantation in the forks of James river and running thence southeast to the South Mountain, and praying that an act may pass for that purpose.

Also several petitions of other inhabitants of Botetourt, in opposition thereto, were severally presented to the House, and read.

*Ordered*, That the said several petitions be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That a message be sent to the Governor desiring he will lay before the House a state of the public trade.

*Ordered*, That Mr. Lee do carry the message.

A petition of Henry Munday Marrs was presented to the House, and read; setting forth, that in the month of October, 1776, a horse of the petitioner, employed in the service of the country, whilst he was carrying baggage to Fort Henry at the mouth of Wheeling, was killed by a fall from a precipice, and that he has only been allowed for fifteen days hire of the said horse, and praying to be allowed the appraised value thereof, after deducting the hire aforesaid.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Messrs. Henry, Curle, Tazewell and Kello, be added to the committees appointed to prepare and bring in bills "for establishing a Court of Appeals, for establishing a High Court of Chancery, and for establishing a General Court and Courts of Assize."

*Ordered*, That the several agents employed in the different public manufactories within this Commonwealth, do lay before the House the state and progress thereof.

And then the House adjourned till to-morrow morning, 10 o'clock.

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#### THURSDAY, November 6, 1777.

*Ordered*, That Mr. Webb have leave to be absent from the service of this House until Wednesday next.

A petition of William Bristow was presented to the House, and read; setting forth, that he engaged in the service of the country as a private in Captain Nicholas's company, and was at Norfolk and the Great Bridge during the campaign of 1775, where, by the severity of the weather and the hardships necessarily incident to the life of a soldier, he contracted a disorder which has rendered him unable to gain a livelihood by labor, and praying relief.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Messrs. Winn, Munford and Shelton, be added to the committee of Propositions and Grievances, and the committee of Public Claims.

*Ordered*, That Mr. Deloney be added to the committee of Public Claims.

A petition of sundry inhabitants of Tyger's Valley, Buckanar's Creek and the west fork of Monongalia river, whose names are thereunto subscribed, was presented to the House and read; setting forth, that they labor under great hardships in being obliged to attend courts at Staunton, at the distance of one hundred and eight miles from the nearest inhabitants of Tyger's Valley, one hundred and fifty miles from the west fork of Monongalia, and two hundred miles from the best inhabited part of the settlement on Buckanar's creek; that they are informed the inhabitants of the old part of Augusta are petitioning to have the same divided into smaller counties for the convenience of the people; that they are desirous not to be joined to any county that lies to the east of the Alleghany mountains, nor to be included in any county on the waters of James river, or the south branch of Potomac nor Monongalia county, being as they flatter themselves able to support all public buildings necessary for a county; and praying a new county may be erected, including the settlements of Tyger's Valley, Buckanar's, and the west fork of Monongalia.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.



*Ordered*, That leave be given to bring in a bill "to amend an act entitled, 'an act to support the credit of the money issued by the authority of Congress and by the authority of this Commonwealth, and to make the former current within this Commonwealth;'" and that Messrs. Bullitt and Lee do prepare and bring in the same.

A bill "to empower the vestry of Saint Patrick's parish, in the county of Prince Edward, to sell the glebe of the said parish, and to lay out the money in purchasing a more convenient glebe," was read a second time.

*Resolved*, That the bill be committed to Messrs. Morton, Winn, Booker, Munford and Starke.

A petition of Joshua Bailey, John White and Samuel Cornwell was presented to the House, and read; setting forth, that at the earnest solicitation of a number of the inhabitants of their own and the adjacent counties, they are setting up a manufactory of cotton and wool cards, and are at much labor and expense in erecting buildings, procuring materials and employing workmen to execute the same in a judicious, faithful and extensive manner; and that they are obliged to instruct persons therein heretofore wholly unacquainted with the business, by whose absence on militia duty the public utility of the undertaking will be greatly impeded if not wholly prevented; and praying that all persons employed in the said manufactory, may be exempted from military duty.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Kentucky, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they were employed by their country to come out of the lower parts of Virginia and North Carolina to serve as soldiers in defending the country and protecting the inhabitants of Kentucky against the depredations of the savages, in which service they were wounded, and rendered incapable of getting a livelihood by labor, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Washington, whose names are thereunto subscribed, setting forth, that they were greatly injured by the division of Fincastle county in the year 1776; but on hearing that the inhabitants of Montgomery had petitioned for an alteration of the said line equally just and convenient to both counties, they rested satisfied their petition would have been complied with; but that they find only a small part of that petition was granted, by which they continue to labor under many of the inconveniences they formerly did; and praying that the line may be fixed and settled as petitioned for by the inhabitants of Montgomery and some of the inhabitants of the county of Washington at the last session, and that the courthouse of their said county may be fixed near the centre thereof.

Also several petitions of sundry inhabitants of that part of Washington county which, by a late act of Assembly is included in the county of Montgomery, and of the members of the court and militia officers of the county of Washington, in opposition thereto, were severally presented to the House, and read.

*Ordered*, That the said several petitions be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill "to amend an act entitled 'an act limiting the time for continuing the delegates to General Congress in office, and making provision for their support,' and for other purposes;" and that Messrs. Bullitt and Meriwether do prepare and bring in the same.

The Speaker laid before the House a letter from the Governor, enclosing several resolutions of the General Congress and other papers.

And the said letter and papers were read.

*Ordered*, That the said letter and papers do lie upon the table, to be perused by the members of the House.

A petition of sundry inhabitants of the county of Cumberland, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they are greatly alarmed at the progress some of the dissenters are making in various parts of the country, by seducing the ignorant and unwary to embrace their erroneous tenets, which they conceive to be opposite not only to christianity, but subversive of the morals of the people, and destructive of the peace of families, and that they have already experienced the worst effects from these destructive doctrines; and praying that the nightly meetings of these dissenters may be prohibited; and those of them only allowed to preach, in houses to be licensed for the purpose, who, after due examination, shall be found properly qualified: that the church may be maintained in all its legal rights, and the dissenters indulged with a well regulated toleration; and that the ministers of the church be made accountable for their conduct, and removable for misbehavior.

*Ordered*, That the said petition be referred to the committee for Religion; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Fleming, from the committee for Courts of Justice, to whom it was referred to examine what laws have expired since the last session, or are near expiring, that the committee had come to a resolution which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

*Resolved*, that it is the opinion of this committee, That the act of Assembly passed in the month of June, 1777, entitled "an act for further continuing an act entitled 'an act for the further continuance of certain powers given to the Governor and Council, by an ordinance of the last Convention,' and for other purposes," which will expire at the end of this present General Assembly, ought not to be further continued.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That leave be given to bring a bill, "for giving certain powers to the Governor and Council," and that the committee for Courts of Justice, do prepare and bring in the same.

*Ordered*, That Messrs. Nicholas, Henry, Kello, Curle and Tazewell, be added to the committee for Courts of Justice.

A petition of sundry landholders of the counties of Washington and Montgomery, was presented to the House, and read; praying that the recommendation or nomination of land surveyors, be placed either in the people at large, or the county courts, confining their choice to persons properly qualified and residing in their respective counties.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Neavill be added to the committee appointed to inquire into, and report the progress and expense of, the several salt works.

A petition of Nathaniel Venable, of the county of Prince Edward, was presented to the House, and read; setting forth, that, in the year 1776, he had two wagons and teams impressed in the public service, and employed therein for fifteen days, for which he has been allowed 12s. 6d. per day, which is 2s. 6d. per day less than the common price at that time; and that he had another wagon and team impressed in the service in the month of September last, and employed therein for nineteen days, for which he has only received 10s. per day, which is 3s. per day less than the said wagon and team was appraised to, and praying such further allowance as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry persons, whose names are thereunto subscribed, was presented to the House, and read; praying that the large grants of land formerly made by the King to certain persons and companies, to be laid off in the western parts of the Commonwealth, may be inquired into, and such of them declared void, as ought to be so, and that it may be known what lands are to be granted by this Commonwealth, and on what terms.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the north corner of Montgomery county, was presented to the House, and read; setting forth, that they are exposed to great inconveniences from the distance they have to travel to the courthouse of their county; and praying that they may be added to the northwest corner of Botetourt county; and, that the ridge of mountains, called Peters' Mountain, to the head of Bluestone, may be the dividing line.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And then the House adjourned till to-morrow morning, 10 o'clock.

### FRIDAY, November 7, 1777.

The House being informed that Mr. Beverley Winslow, one of the members for the county of Spotsylvania, attended in custody of the serjeant at arms; and it appearing, that there was good cause to excuse his absence when the House was called over on the 22d day of October last;

*Ordered*, That the said Beverley Winslow be discharged out of custody, without paying fees.

The House being informed that Mr. Joseph Speed, one of the members for the county of Mecklenburg, Mr. Charles Carter, one of the members for the county of King George, and Mr. Charles Lynch, one of the members for the county of Bedford, attended in custody of the serjeant at arms;

*Ordered*, That the said Joseph Speed, Charles Carter and Charles Lynch, be discharged out of custody, paying fees.

Mr. Nicholas presented to the House, according to order, a bill "for establishing a General Court and Courts of Assize," and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Nicholas presented to the House, according to order, a bill "for establishing a High Court of Chancery," and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

*Ordered*, That leave be given to bring in a bill "for establishing a town in the county of Hampshire," and that Messrs. Fleming, Neavill and Abraham Hite, do prepare and bring in the same.

*Ordered*, That Mr. Cary have leave to be absent from the service of this House, until Tuesday next.

*Ordered*, That a committee be appointed to examine the treasurer's accounts.

And a committee was appointed, of Messrs. Fleming, Henry, Bullitt, Starke, Davenport, Lee, Riddick, Cowper, Joseph Speed and King.

*Ordered*, That it be an instruction to the said committee, strictly to inquire into, and examine the nature of the forgeries, suggested at the last session of Assembly to have been imposed on the treasury; and that in order to a thorough



investigation thereof, they have power to send for persons, books and papers, and examine such persons, on oath, as they may think fit; and that they report the matter, with their opinion thereupon, to the House.

*Ordered*, That a message be sent to the Senate to acquaint them that this House hath appointed a committee to examine the treasurer's accounts, and that, if they please to appoint a committee of their House for that purpose, both committees may proceed to do the business together.

*Ordered*, That Mr. Starke do carry the said message.

*Ordered*, That Messrs. Fleming, Randolph, Cary and Watkins, be added to the committee of Propositions and Grievances.

A petition of Randolph Fugna was presented to the House, and read; setting forth, that he apprehended one George Gray sometime in the month of October, 1776, for horse stealing, and prosecuted him until he was convicted thereof, before the court of Oyer and Terminer, in January last; that though it appeared to the satisfaction of the said court, that he actually apprehended the said Gray, yet they refused to grant him a certificate, alleging that since the late act of Assembly, giving an additional reward, all persons are excluded from receiving the same, or the reward allowed by the former act, unless the horse stealer should be convicted by other testimony than that of the person claiming the same; that he doth not claim the reward allowed by the late act of Assembly, because the said Gray would not have been convicted without his testimony, but prays he may receive the reward allowed by the former act.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Several other members having taken the oath appointed by law to be taken, took their seats in the House, And then the House adjourned till to-morrow morning, 10 o'clock.

### SATURDAY, November 8, 1777.

Mr. Nicholas reported from the committee of Propositions and Grievances, to whom the petition of Burr Harrison was referred, that the committee had examined the matter of the said petition, and had come to several resolutions thereupon, which they had directed him to report to the House, and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, that the said Burr Harrison was appointed by the Governor and Council, paymaster and contractor to the troops of this State, stationed on the western frontier; that the said Burr Harrison, in the month of November, 1776, received from the treasury, as paymaster, a considerable sum of money, for which he was obliged to wait some time in the city of Williamsburg, the treasury not being able to furnish the sum he had a warrant for.

It further appears to your committee, from the deposition of James M'Affee, that the deponent was employed by the said Burr Harrison to convey provisions to the different garrisons on the Ohio; that the deponent being at Fort Pitt the 25th day of December last, was called into a room where the said Harrison and Col. John Neavill were counting a sum of money, which the deponent upon being desired also counted, making the sum of 724*l*. 4*s*. Virginia paper currency; and the money was packed by the said Harrison in a small trunk, which the deponent saw taken to the boat and put in a large chest; that the garrison at the Kanawha being likely to suffer for want of provisions, the said Harrison for fear of being blocked up by the ice, which was running very thick, engaged the hands belonging to the said boat to set out, although it appeared a little dangerous, and to continue moving night and day until they should arrive at the garrison; that about 12 o'clock in the night of the 25th of December, and near the middle of the river, the boat struck a log, which stove in two of her planks and drove round her stern, when she immediately filling with water was overset; and her whole cargo, together with the chest containing the small trunk, floated off; that as soon as the said Harrison got on shore he prevailed on the deponent and the rest of the crew, by promising five pounds per man, to take canoes and go in search of the money and provisions, which they continued to do for several days, but could not recover any part thereof except about 31 barrels of flour and a small quantity of salt in barrels; that all the rest of the cargo, including the said sum of 724*l*. 4*s*. was lost; and that the said cargo, consisted of sixty barrels of flour, a quantity of salt in barrels and some in bags.

It also appears to your committee, from the depositions of James Duncan, John Hagerty and Richard Reeves, that on the 25th day of December last, the deponents were with the said Burr Harrison in a batteau, on their way down to the point; that in the night she run on a snag which stove her; and sixty barrels of flour, four kegs and one sack of salt, and a chest in which they understood there was about 800*l*., were all turned adrift; that the deponents the next day went in pursuit of them, but could recover only about 56 barrels of the flour, many of them damaged, and that the chest was totally lost.

Whereupon, your committee came to the following resolutions:

*Resolved*, that it is the opinion of this committee, That the petition of the said Burr Harrison, praying to be reimbursed the said sum of 724*l*. 4*s*. is reasonable; and that he ought to be allowed the same in settling his accounts as paymaster.

*Resolved*, that it is the opinion of this committee, That the petition of the said Burr Harrison, praying also to be



reimbursed for the flour and salt that was damaged and lost, is reasonable; and that he ought to be allowed for the same the sum of 134*l.* 3*s.* 6*d.* in settling his accounts as contractor.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Nicholas do carry the resolutions to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, to prevent the exportation of salt from this Commonwealth, for a limited time; and that Messrs. Carter, Harrison of Prince George, Randolph and Carrington, do prepare and bring in the same.

Mr. Nicholas reported from the committee of Propositions and Grievances, that the committee had examined the matter of several petitions to them referred, and come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz :

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Mecklenburg, praying that a public ferry may be established from the lands of Sir Peyton Skipwith, in the county of Mecklenburg, across Roanoke river to the lands of the said Peyton Skipwith on the opposite shore, is reasonable.

*Resolved*, that it is the opinion of this committee, That the consideration of the petition of divers inhabitants of the county of Washington, complaining of the dividing line between that and the county of Montgomery, ought to be referred to the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of Joshua Bailey, John White and Samuel Cornwell, setting forth, that the petitioners have engaged in a manufactory of cotton and wool cards, and praying to be exempted from all militia duty, be rejected.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That a bill or bills be brought in pursuant to the first of the said resolutions, and the committee of Propositions and Grievances, do prepare and bring in the same.

The House being informed that Mr. John Poag, one of the members for the county of Augusta, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence when the House was called over on the 22d day of October last ;

*Ordered*, That the said John Poag, be discharged out of custody, without paying fees.

The House being informed that Mr. William Moore, one of the members for the county of Orange, who was ordered to be taken into custody of the serjeant at arms, was unable to attend when the House was called over on the 22d day of last month ;

*Ordered*, That the order for taking the said William Moore into custody be discharged.

A petition of Martha Hodges was presented to the House, and read ; setting forth, that her husband, John Hodges, entered into the minute service, in which he was taken ill and died, leaving a wagon and team, the chief support of the petitioner and her children ; that some time in September last, Col. Cabell impressed the said wagon and team to remove the baggage of his militia to Williamsburg, and kept the same in service eight days, for which he paid the petitioner four pounds, being only half what she was offered for the same ; and that some time afterwards, the said wagon and team, were again impressed by Capt. Napier, and detained in the service nineteen days, for which she has received only 10*s.* per day ; and praying such further allowance as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill " to prohibit the importation of slaves," and that Messrs. Henry and Starke do prepare and bring in the same.

A petition of sundry inhabitants of the county of Augusta, whose names are thereunto subscribed, was presented to the House, and read ; setting forth, that they labor under many inconveniences from the situation of the courthouse of the said county, where they are obliged to attend courts, general musters, and courtmartial ; that there are upwards of four thousand tithables in the said county, and that others are daily settling therein, so that they are sufficiently numerous to support a new county ; and praying the said county of Augusta may be divided by a line to be run from the top of the Blue Ridge opposite Givens's mill, to the gap of the North river, thence up that river to the head thereof, and from thence north 55 degrees west, until it strikes the Alleghany mountain.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill " for establishing a High Court of Chancery," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, upon Tuesday next, resolve itself into a committee of the whole House, upon the said bill.

A bill " for establishing a General Court, and Courts of Assize," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, upon Wednesday next, resolve itself into a committee of the whole House, upon the said bill.

*Ordered*, That Messrs. Anderson and Carter, be added to the committee appointed to examine into, and report the state, progress, and expense of the several public salt works.

*Ordered*, That Mr. Wm. Cocke have leave to be absent from the service of this House, until Monday se'nnight.

Several petitions of the inhabitants of the county of Bedford, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that they are exposed to great inconvenience, by the badness of the roads and distance many of them have to travel to the courthouse, to attend general musters and other necessary business; and that they are informed the inhabitants of the county of Henry, intend to petition this House, to take off as much of that county, as, when added to a part of the county of Bedford contiguous thereto, will contain a number of inhabitants sufficient to form a distinct county; and praying that an act may pass for that purpose, and that the line may be run from the lower end of the cliff on Staunton river, opposite to the east end of Smith's Mountain to Holston's Knob, and from thence along that mountain to the Blue Ridge.

*Ordered*, That the said several petitions be referred to the committee of Propositions and Grievances, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Spotsylvania, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the courthouse of the said county, is in the town of Fredericksburg, an extreme part of the county, and so inconvenient, that many of the petitioners have to go thither more than thirty miles to do their business, which distance by a central situation of the courthouse, might be reduced to less than sixteen miles to the most remote inhabitant; that they formerly represented this matter to the House of Burgesses, who thought it reasonable to alter the place for holding the said court, and for that purpose addressed Lord Dunmore, who refused his assent; and that they humbly conceive that as the majority contributes the greatest part towards the support and maintenance of courts, the administration of justice ought therefore, to be rendered as easy and convenient to them as possible; and praying that an act may pass, appointing the place for holding the said courts as near the centre of the said county as convenient.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the members of the court of Washington county, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that a tract of land hath been given by the honorable Thomas Walker, Joseph Black and Samuel Briggs, gentlemen; and that the said Walker hath agreed to sell to the petitioners, another tract of land whereon to erect their public buildings, and that the court hath already fixed on a place on the said land for their courthouse and prison, and have laid off part thereof for a town; and praying that an act may pass, enabling them to take and hold the said lands, and for establishing a town thereon, with such privileges and immunities as are usually granted to towns.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Carter presented to the House, according to order, a bill "to prevent the exportation of salt from this Commonwealth, for a limited time," and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A petition of Jacob Cogar was presented to the House, and read; setting forth, that he was out last Fall under the command of Capt. Daniel Smith, on the expedition against the Indians, and that by neglect of the clerk, his name was omitted in the pay roll; in consequence of which he has received no pay for his services, and praying he may be allowed for the same.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And then the House adjourned till Monday morning, 10 o'clock.

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### MONDAY, November 10, 1777.

The House being informed that Mr. William Smith, one of the members for the county of Richmond, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence when the House was called over on the 22d day of October last;

*Ordered*, That the said William Smith, be discharged out of custody, without paying fees.

The House being informed that Mr. Daniel Muse, one of the members for the county of Northumberland, who was ordered to be taken into custody of the serjeant at arms, was unable to attend when the House was called over on the 22d day of last month;

*Ordered*, That the order for taking the said Daniel Muse into custody, be discharged.

The House being informed that Mr. Philip Alexander, one of the members for the county of Fairfax, and Mr. George Thornton, one of the members for the county of Spotsylvania, attended in custody of the serjeant at arms;

*Ordered*, That the said Philip Alexander and George Thornton, be discharged out of custody, paying fees.



*Ordered*, That Messrs. Anderson and Cowper, have leave to be absent from the service of this House, until the 1st day of December next.

*Ordered*, That Messrs. Wills, Allen, Thornton, Abraham Hite, Bowyer, Eskridge, Montgomerie, Fulgham and King, be added to the committee of Public Claims.

A petition of Samuel Ewing, on behalf of himself, John Blankenship and James M'Call, was presented to the House, and read; setting forth, that Col. Christian, when the army under his command had advanced on the Cherokee expedition about six miles beyond the Long Island, offered a reward of 100*l*. to any person or persons, who would proceed to the Cherokee towns and bring him a prisoner, in order to get intelligence of the motions of the enemy; that in consequence thereof, the petitioner, and the said John Blankenship and James M'Call, undertook the business, and in a few days entered the town of Toquo, after crossing the Tennessee at a very wide fording place; that they met an Indian man on horseback, whom they could have killed or taken, but let him pass lest it might occasion a discovery, and the trip not answer the intended purpose; that they proceeded to the house of one Lowry, a Kingsman, in order to take him, but not being admitted, they then proceeded to the house of one Davis, from whence they got intelligence of the enemy's designs; and returned at great risque of their lives, and gave a true account of things according to their information; and that they could have taken Davis, his wife and an Indian woman, but that they thought intelligence was all that was necessary; and praying such compensation for their services, as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Thomas Williams was presented to the House, and read; setting forth, that in the month of October last, two companies of militia were marched from the county of Charlotte; that the petitioner commanded one of those companies, and agreeable to the direction of the county lieutenant, purchased for them 199 <sup>1</sup>/<sub>4</sub>lbs. of bacon at the price of 2*s*. per pound, being the only provision he could procure for their subsistence; but that on application to the auditor of public accounts, he was allowed only 1*s*. 3*d*. per pound, by which he is loser the sum of 7*l*. 9*s*. 5*d*., and praying to be reimbursed the said sum of money.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of William Gorman was presented to the House, and read; setting forth, that he was employed by Capt. Lynn, in the month of January last, to assist in bringing a quantity of gunpowder and military stores from New Orleans to Pittsburg, in which service he continued until the 23d of April following, and then had the misfortune to be shot in the right shoulder, whilst he was employed in procuring provisions for the party; and that he is thereby rendered unable to procure a livelihood by labor; and praying such relief, as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the Speaker be desired to issue a new writ for electing a delegate for the county of King and Queen, in the room of Thomas Coleman, Esq. who hath accepted the office of sheriff of the said county.

A petition of Margaret Irwin, was presented to the House, and read; setting forth, that her husband Abraham Irwin, enlisted as a soldier in the continental service, under Capt. Lambert, in the month of January last, and marched with his regiment; soon after which she was informed of his death, occasioned by a bad cold settling on his lungs, and the smallpox; and that she is left with four small children in very distressed circumstances; and praying relief.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Edmund Rufin, jun. was presented to the House, and read; setting forth, that in the month of October, 1775, a negro man slave named Dick, the property of the petitioner, was apprehended in attempting to get on board Lord Dunmore's fleet, and committed to the public jail; that in the month of December following, he applied to the committee of Safety for the said slave; but they refused to deliver him, intending, as they informed the petitioner, to send the said slave either to the West Indies or the lead mines; but before that step was taken the said slave died; and praying such compensation as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That this House will, on Wednesday next, proceed by joint ballot with the Senate, to the appointment of a delegate to represent this Commonwealth in the General Congress, in the room of Benjamin Harrison, Esq. who hath resigned; and of a member of the Privy Council, or Council of State, in the room of Thomas Adams, Esq. who hath declined accepting the said appointment.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

*Resolved*, That this House will, on Saturday next, proceed by joint ballot with the Senate, to the appointment of field-officers of the regiment of artillery, raised for the defence of this Commonwealth.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the letters from the Governor, which with several other papers were ordered to lie upon the table.



*Ordered*, That the treaty between the commissioners, appointed on behalf of this Commonwealth, and the chiefs of the Cherokee Indians, made the 20th day of July last, and laid before the House by the Governor, be referred to the committee of the whole House, to whom the motion "that a supply be provided for the public exigencies."

And then the House adjourned till to-morrow morning, 10 o'clock.

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TUESDAY, November 11, 1777.

A petition of sundry inhabitants of the county of Spotsylvania, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they are informed that a petition hath been drawn and handed about to be signed, for the removal of the courthouse of the said county from the town of Fredericksburg, where it hath stood about forty years; that they are ignorant on what new grounds a dispute which hath been so often agitated, more to serve, as they conceive, the private views of individuals than the good of the inhabitants of the county, is now revived; and praying for the reasons therein mentioned, that the place of holding courts in the said county may not be changed, or that the consideration of the said petition for the removal may be postponed to the next session of Assembly.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Richard Lee, reported from the committee of Public Claims, that the committee had had under their consideration several petitions to them referred, and had come to several resolutions, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the petition of Capt. Thomas Johnson, praying to be reimbursed a judgment obtained against him in the court of the county of Louisa, for two steers, which were hired for the purpose of transporting the baggage, &c. of his company, when ordered to join their regiment, in which service the said steers died, is reasonable; and that the petitioner ought to be repaid the said judgment and costs, amounting to the sum of 15*l.* 5*s.* 6*d.*

*Resolved*, that it is the opinion of this committee, That the petition of William Lawson, praying an allowance for his wagon and team, over and above the sum of 15*s.* per day, which was allowed him by the commissioners, is reasonable; and that the petitioner ought to be allowed the further sum of 5*s.* per day for twenty days service thereof, amounting to 5*l.*

*Resolved*, that it is the opinion of this committee, That the petition of Margaret Douglass, praying an allowance for her trouble and expense for the maintenance of her son George Douglass, a sick soldier, in the continental service, whom she removed from Williamsburg to Orange county, where he remained ill for five months, is reasonable; and that the petitioner ought to be allowed 10*d.* per day, from the 15th of September to the 15th of February, amounting to the sum of 6*l.* 7*s.* 6*d.*; also the sum of 2*l.* for her expense in removing him.

*Resolved*, that it is the opinion of this committee, That the petition of Richard Morton, whose son Jarot Morton, a soldier in Capt. Francis Taylor's company of continental troops, was taken sick in the service, and remained in a low state for thirteen months, during which period the petitioner was at great expense and trouble, in nursing and maintaining him; praying relief, is reasonable; and that the petitioner ought to be allowed 10*d.* per day, from the 16th of September, 1776, to the 16th of October, 1777, amounting to the sum of 16*l.* 9*s.* 2*d.*

*Resolved*, that it is the opinion of this committee, That the petition of John Brown, praying an additional allowance for one thousand six hundred and ninety rations, furnished Col. James Wood's regiment of continental troops, be rejected: he having already received eight pence for each ration.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the three first of the said resolutions to the Senate, and desire their concurrence. The order of the day being read for the House to resolve itself into a committee of the whole House, to consider of the letters from the Governor, which, with several other papers, were ordered to lie on the table,

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair,

Mr. Braxton took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Braxton reported from the committee, that they had come to several resolutions; which he read in his place, and afterwards delivered it in at the clerk's table, where the same were read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the institution of an Academy, for the advancement of knowledge in Military Architecture and Gunnery, will be useful to this Commonwealth.

*Resolved*, that it is the opinion of this committee, That the Governor be desired to communicate to Captain Loycaute the above resolution, and to express to him, that it is the desire of the Houses of Assembly to employ his knowledge in such a way, as will be more extensively useful to the Commonwealth, than if confined to a particular command; and therefore to request, that he will be pleased to undertake the duties of the institution above mentioned, for

which, a salary shall be allowed of fifteen hundred dollars per annum, to commence from the time he accepted of this proposition, and that he be allowed the rank of colonel.

*Resolved*, that it is the opinion of this committee, That the General Assembly will make good the engagements of the delegates of this Commonwealth in Congress, to defray the expenscs of Captain Loycaute, and that their draughts for the same upon the treasurer, shall be accepted.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Braxton do carry the resolutions to the Senate, and desire their concurrence.

Mr. Braxton also acquainted the House, that he was directed by the committee to move, that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider farther of the letters from the Governor; which, with several other papers, were ordered to lie upon the table.

A petition of John Peed, was presented to the House, and read; setting forth, that he is a sailor belonging to the Hero Galley, under the command of Captain Chamberlaine, and hath lost the use of one of his eyes in the service; and praying the House will take his case into consideration, and grant him such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Fleming presented to the House according to order, a bill "for establishing a town in the county of Hampshire;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A petition of Gideon Moon was presented to the House, and read; setting forth, that he entered into the service of the country as a soldier, and whilst employed in throwing up entrenchments at Hampton, had the misfortune to be wounded with a mattock, in the hands of one of his fellow soldiers, by which he has lost the use of one of his hands, and is rendered incapable of getting a livelihood by labor, and praying relief.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Messrs. Willis, Fulgham, James Speed, Smith of Essex, Carter and Fitzhugh, be added to the committee of Propositions and Grievances.

*Ordered*, That Messrs. Thornton, Carter and Fitzhugh, be added to the committee of Privileges and Elections.

*Ordered*, That Messrs. Glenn and Smith, be added to the committee of Public Claims.

The other orders of the day being read,

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies."

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, November 12, 1777.

Mr. James Speed, one of the commissioners appointed by the General Assembly to inquire into the state of sundry public arms, committed to the care and direction of Clement Reade the elder, late county lieutenant of Lunenburg, during the last war, reported, that the commissioners had inquired accordingly, and had directed him to report the matter, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was again read, and is as followeth, viz:

It appears to your commissioners, from sundry letters from the late Governor Dinwiddie, and the honorable President Blair, that about the year 1756, Clement Reade the elder, late county lieutenant of Lunenburg, was employed to purchase provisions for different companies of militia, then and about that time ordered from that county to defend the frontiers against the incursions of the Indians; that he was also engaged to go to, and superintend the management of several forts in the counties of Halifax and Augusta, and to direct and superintend several ranging parties in the counties of Prince Edward and Bedford. It appears from the testimony of James Taylor, whom the said Clement Reade engaged as his assistant in that business, that there came to the hands of the said Clement, one hundred and fifty stand of well fixed arms; that the said Taylor assisted in delivering all those arms to different militia officers, ordered to march on the duty aforesaid, from whom receipts were taken, which appear to your commissioners; that upon the return of those companies, they were ordered by the said Clement to return their arms, many of which were returned, and some left in the forts, and never returned to the said Clement; but as to the quantity returned, the deponent is uncertain; that a magazine was erected about two miles from the said Reade's house, but before it could be applied to the use intended, the house was burnt, and the arms remained at the said Clement Reade's; that some of the arms were afterwards delivered to several militia officers in Halifax, on an invasion there, which the deponent believes, were never returned; that upon the close of the war, the deponent Taylor, happened at the palace in compa-



ny with the said Clement Reade, and heard the late Governor Fauquier, direct the said Reade to lend out the guns then in his possession, to the inhabitants of the county, taking receipts for them, which the Governor considered would save to their country the expense of an armorer to keep them in order; that the deponent believes all the guns then remaining, were lent out; that he assisted in delivering many, and saw many receipts granted; that none remained but a few which were broke and much out of repair; that some of them were lent with, and some without the bayonets and cartouch boxes; that the deponent does not know or believe that the said Clement ever applied any of them to his own use, or that he ever received any satisfaction for the care of those arms.

It also appears from the accounts of the said Clement, settled by commissioners appointed by the Assembly for that purpose, that in those accounts he had no allowance for the care and trouble of the arms lodged with him. It further appears by a letter from the late President Blair, that the said Clement was by him directed to lend out the country arms. It appears that in the year 1758, forty stand of those arms were, by application from a council of war in Halifax, delivered to one Captain Cobbs of that county, who marched with a company to the frontiers; forty were delivered and sent to Col. Peter Fontaine, county lieutenant of Halifax; and some time before the year 1761, it appears from the deposition of Nathaniel Terry, Esquire, then county lieutenant of Halifax, that he received fifty, which he delivered to Col. Archibald Gordon of Halifax, and were afterwards delivered to Capt. Hugh Innes who was ordered with a company to fort Chiswell; ten were delivered to one Capt. William Parham of Brunswick, who marched to defend the frontiers; ten to Capt. John Winn of Amelia, for the same purpose, and sixteen to Capt. John Quarles of Bedford county. It doth not appear that any that were delivered to the officers of those counties were ever returned; your commissioners further report, that when the guns were thus dispersed, there remained with the said Clement Reade a number of bayonets and cartouch boxes until his death, which happened January, 1763; that after his death they lay exposed in an open house; that sundry of them were carried off and sold or otherwise made use of by Mrs. Reade's slaves, without her knowledge or approbation; that eighteen bayonets were sent by Mrs. Mary Reade, widow of the said Clement Reade, to several smith's shops and worked up for her use, about five or six years ago. It further appears that upon the beginning of the present war a volunteer company was raised in the county of Charlotte, under the command of Isaac Read, Esquire; that thirty or forty bayonets were delivered to that company, which were all that remained at Mrs. Reade's, that seven more were delivered by Col. Thomas Bouldin to the same company, and when the said company was discharged the men detained the bayonets as militia; that in the several militia companies in the said county there are many of those bayonets in the hands of the people, which they retain, alleging that they purchased them, but it does not appear that Mrs. Reade ever sold any or ever was paid or employed to keep them. Your commissioners further report, that in the year 1775, upon the first and second regiment's being stationed at Williamsburg, the committee of Safety having no arms for the service, empowered sundry gentlemen to purchase arms, and among others Col. Thomas Reade, who was desired to collect as many of the country's arms as he could, but as it was by them supposed that from the great length of time those arms which were lent to the people had remained in their hands they had conceived them to be their own, and had sold them from one to another; the urgent necessity for arms at that time was so great, he was directed to purchase of such as had bought them, at a reasonable price; Col. Reade accordingly collected fifty-one muskets, thirty four of which he obtained without paying for, all which were sent down and delivered at Williamsburg, and for his trouble he charged nothing. It further appears that many of the people to whom arms were lent, have removed to Carolina, Georgia and other places, and have carried off the arms lent to them; that from the long possession the people have had of them, they have deemed them their own and disposed of them as such.

Upon the whole, this matter hath been of so long standing, and the quantity of arms returned to the said Clement Reade by the different militia officers so uncertain, and the arms so dispersed, that to obtain a true state of them at this day appears to your commissioners to be impracticable, this being the most exact account that can be obtained, after a close and attentive inquiry made by your commissioners.

*Ordered*, That the said report do lie upon the table, to be perused by the members of the House.

*Ordered*, That Mr. Terry have leave to be absent from the service of this House, until the second Monday in December next.

*Ordered*, That Mr. Carrington have leave to be absent from the service of this House, until the first day of the next month.

*Ordered*, That Messrs. Savage, Todd of King and Queen, and Porter be added to the committee of Public Claims.

*Ordered*, That Messrs. Braxton, Riddick, Griffin, Kello, Tazewell and Abraham Hite, be added to the committee of Propositions and Grievances.

*Ordered*, That the committee of Propositions and Grievances be discharged from proceeding on the petition of sundry landholders of the counties of Washington and Montgomery, praying that the nomination of land surveyors should be either in the people at large or in the county courts, and upon the petition of sundry persons, whose names are thereunto subscribed, praying the large grants of lands may be inquired into.

*Ordered*, That the said petitions do lie upon the table.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have appointed a committee to examine the treasurer's accounts, who are ready to proceed on that business with the committee appointed by this House. And then he withdrew.

Mr. Nicholas reported, from the committee of Propositions and Grievances, to whom the petition and memorial of sundry inhabitants of the county of Fluvanna was referred, that the committee had examined the matter of the said



petition and memorial, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz :

*Resolved*, that it is the opinion of this committee, That the attorney general for the Commonwealth be instructed so soon as the General Court shall be established and opened, to institute prosecutions against William Henry, Jesse Benton and Roger Thompson, for bribery in their office of justice of the peace for the county of Fluvanna, with which they stand charged in the said memorial, and also a prosecution against John Cobbs for giving or promising a reward for the office of clerk of the peace for the same county.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

Mr. Bledsoe presented to the House, according to order, a bill "for altering the court-day of the county of Washington," and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A petition of John Goodrich, the elder, was presented to the House, and read; setting forth, that for eighteen months past he hath been under a close and severe confinement, and is now removed three hundred miles from the comfort and assistance of his friends, and loaded with irons too heavy to be borne, and that however reprehensible his conduct hath been, he can assure the House it hath been greatly aggravated by popular report and prejudice, and praying to be restored to his wife and children on his giving every moral assurance for complying with whatever restrictions he may be laid under.

*Ordered*, That the said petition do lie on the table.

A petition of James Wallace Bailey, was presented to the House, and read; setting forth, that a negro man slave, named Robin, the property of the petitioner, was, by the judgment of the county court of King William, convicted of felony and sentenced to be hanged, but that the night before he was to have been executed he made his escape, and has never been apprehended, although the petitioner and the sheriff of the said county had offered considerable rewards to have him taken; and that he has reason to believe the said slave has got on board some of the British ships of war; and praying to be allowed 90*l.* for the said slave, the sum to which he was appraised by the county court of King William.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The Speaker laid before the House a letter from the Governor, desiring the opinion of the House, whether the militia who were called out for the defence of the county of Kentucky and remained in the forts ought to be paid for their services.

And the said letter was read.

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, on the said letter.

Mr. Nicholas presented to the House, according to order, a bill "to establish a new ferry," and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A message from the Senate by Mr. Carrington :

MR. SPEAKER,—The Senate have agreed to the order of this House, directing the treasurer to procure paper for emitting money, and for printing the laws. And also,

The Senate will proceed by joint ballot with this House, on Saturday next, to the choice of field officers to command the regiment of artillery raised for the defence of this Commonwealth. And also,

The Senate are now ready to proceed, by joint ballot with this House, to the choice of a delegate to represent this Commonwealth in General Congress, in the room of Benjamin Harrison, Esq.; and of a member of the Privy Council, or Council of State, in the room of Thomas Adams, Esq. And then he withdrew.

The order of the day being read, for the House to proceed, by joint ballot with the Senate, to the appointment of a delegate to represent this Commonwealth in General Congress, in the room of Benjamin Harrison, Esq., who hath resigned; and of a member of the Privy Council or Council of State, in the room of Thomas Adams, Esq. who hath declined accepting the said appointment.

The House nominated several persons to be ballotted for.

*Ordered*, That Mr. Starke do carry a list of the persons so nominated to the Senate.

A message from the Senate by Mr. H. Lee :

MR. SPEAKER,—The Senate are satisfied with the persons nominated by the House to be ballotted for, and have not nominated any others for the office of delegate to the General Congress, and have added two persons to the list of those nominated for the office of Privy Counsellor. And then he withdrew.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed a delegate to the General Congress, in the room of Benjamin Harrison, Esq.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed, to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. General Nelson, Richard Lee, Bullitt, Edmondson and James Speed; and they are to withdraw immediately.

*Ordered*, That General Nelson do acquaint the Senate therewith.

General Nelson reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

For John Banister, Esq.	39	For James Mercer, Esq.	20
Mann Page, jun. Esq. of Spotsylvania,	35	Meriwether Smith, Esq.	13

And it appearing from the report of the committee, that neither of the persons therein mentioned hath a majority of both Houses, the House proceeded to ballot between the said John Banister and Mann Page, Esquires, they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed the said delegate.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. General Nelson, Richard Lee, Bullitt, Edmondson and James Speed; and they are to withdraw immediately.

*Ordered*, That General Nelson do acquaint the Senate therewith.

General Nelson reported from the committee, that they had met a committee of the Senate in the conference room, and had, jointly with them, examined the tickets accordingly, and had directed him to report the numbers for the persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

For Mann Page, Esq.	56	For John Bannister, Esq.	51
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*Resolved*, That the said Mann Page, Esq. be appointed a delegate to represent this State in General Congress, in the room of Benjamin Harrison, Esq. who hath resigned, he having been chosen for that purpose by joint ballot of both Houses.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence. ~~444.36.~~

*Ordered*, That the members do immediately prepare tickets to be put into the glasses with the name of the person to be appointed a member of the Privy Council, or Council of State, in the room of Thomas Adams, Esq. who hath declined accepting the said appointment.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Bullitt, Bowyer, Fleming, Jefferson and General Nelson; and they are to withdraw immediately.

*Ordered*, That Mr. Bullitt do acquaint the Senate therewith.

Mr. Bullitt reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

For James Madison, the younger, of Orange, Esq.	30	For John Bannister, Esq.	11
Meriwether Smith, Esq.	21	Corbin Griffin, Esq.	11
John Walker, Esq.	14	Nathaniel Burwell, Esq.	4
Lewis Burwell, Esq.	14		

And it appearing from the report of the committee, that neither of the persons therein mentioned, hath a majority of both Houses, the House proceeded to ballot between the said James Madison and Meriwether Smith, Esquires, they standing foremost in the list.

*Ordered*, That the members do immediately prepare tickets, to be put into the glasses with the name of the person to be appointed a member of the Privy Council or Council of State.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the said James Madison and Meriwether Smith, Esquires, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Bullitt, Bowyer, Fleming, Jefferson and General Nelson, and they are to withdraw immediately.

*Ordered*, That Mr. Bullitt do acquaint the Senate therewith.

Mr. Bullitt reported from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

For James Madison, Esq. 61 For Meriwether Smith, Esq. 42

*Resolved*, That the said James Madison be appointed a member of the Privy Council, or Council of State, in the room of Thomas Adams, Esq. he having been chosen for that purpose by joint ballot of both Houses.

*Ordered*, That Mr. Bullitt do carry the resolution to the Senate, and desire their concurrence. *4/1. 19.*

The other orders of the day being read,

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which with several other papers, were ordered to lie upon the table.

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."

*Resolved*, That this House, will, on Friday next, resolve itself into a committee of the whole House, to consider of the motion "that a supply be provided for the public exigencies."

And then the House adjourned till Friday morning, 10 o'clock.

#### FRIDAY, November 14, 1777.

*Ordered*, That Messrs. Meriwether and Gordon, have leave to be absent from the service of this House until Monday se'night next; and Messrs. Underwood and Wilkinson until the first day of December next.

The House being informed that Mr. George Mason, one of the members for the county of Fairfax, who was ordered to be taken into custody of the serjeant at arms, had good cause to be absent when the House was called over on the twenty-second day of October last,

*Ordered*, That the order for taking the said George Mason into custody be discharged.

The House being informed that Mr. Isaac Zane, one of the members for the county of Frederick, attended in custody of the serjeant at arms,

*Ordered*, That the said Isaac Zane be discharged out of custody, paying fees.

Another member returned upon a new writ, having taken the oath appointed by law to be taken, took his seat in the House.

A petition of Benjamin Bucktrout, was presented to the House, and read; setting forth, that in the month of September last, a wagon and team, belonging to the petitioner, were impressed to carry cannon ball and other ammunition to Hampton, and that while the said horse was in that service, he was suffered to go at large at Hampton, and by falling into a well was killed; and praying to be allowed such compensation as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House took into consideration the report of the commissioners appointed by the General Assembly, to inquire into the state of sundry public arms, committed to the care and direction of Clement Reade, the elder, late county lieutenant of Lunenburg, during the last war; and the said report was read.

*Resolved*, That the Governor be desired to take proper measures for recovering the arms from the several persons to whom, in the said report, they are alleged to have been delivered, and the value of such as have been lost or destroyed through gross negligence, or embezzled or converted to private use.

*Ordered*, That Mr. James Speed do wait upon the Governor with the resolution.

A petition of Joseph Stroud was presented to the House, and read; setting forth, that conceiving himself to be well acquainted with the process of making salt, and having formed a plan upon which he thinks that business may be carried on to great advantage, he wishes to be engaged in the service of the State on the same terms as have been agreed on by others, and that he is willing to go to the northward for the necessary pans for carrying on the work.

*Ordered*, That the said petition be referred to the committee appointed to inquire into and report the state, pro-



gress, and expense of the several public salt works, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Messrs. Mason and Syme be added to the committees of Privileges and Elections and Propositions and Grievances.

Mr. Starke reported, from the committee to whom the bill "to empower the vestry of Saint Patrick's parish in the county of Prince Edward to sell the glebe of the said parish, and to lay out the money in purchasing a more convenient glebe" was committed, that the committee had directed him to report the bill to the House, without any amendment; and he delivered the bill in at the clerk's table.

*Ordered*, That the bill be engrossed.

Mr. Richard Lee reported, from the committee of Public Claims, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the petition of William Gorman, who was employed by Captain Lynn to assist in bringing a quantity of gunpowder and other stores for the use of the United States, from New Orleans to Pittsburg, and who in hunting for provisions for the subsistence of the party, was wounded in the right shoulder by the savages, which has deprived him of the use of his arm, is reasonable; and that the petitioner ought to be allowed the sum of ten pounds to reimburse him the expense of the doctor, and the farther sum of forty pounds for his present relief, and to enable him to return to New Orleans.

*Resolved*, that it is the opinion of this committee, That the petition of Randolph Fuqua, praying to be allowed the sum of ten pounds for apprehending George Gray, a horse stealer, which reward was formerly allowed by an act of Assembly entitled "an act for preventing losses from drivers with horses and cattle through this colony, and for laying a duty on horses imported, and the more effectual preventing horse stealing," is reasonable; and that the petitioner ought to be allowed the said sum of ten pounds.

*Resolved*, that it is the opinion of this committee, That the petition of Martha Hodges, praying an additional allowance for her wagon and team, which were at different times employed by Col. Joseph Cabell and Capt. Thomas Napier, to transport the baggage, &c. of their militia to Williamsburg, of whom she received only ten shillings per day, for twenty seven days service thereof, is reasonable; and that the petitioner ought to be allowed the farther sum of five shillings per day, amounting to six pounds fifteen shillings.

*Resolved*, that it is the opinion of this committee, That the petition of Benjamin Bohon, praying an allowance for the trouble and expense incurred in nursing and maintaining his three sons, John, Benjamin and William Bohon, and one William Twisdel, soldiers in the minute service, who were taken sick and brought to the petitioner's house, where they remained in a helpless situation for a considerable time, is reasonable; and that the petitioner ought to be allowed at the rate of ten pence per day, for the time they respectively remained at his house, to wit: for John Bohon, 120 days, Benjamin Bohon and William Twisdel, 210 days each, and William Bohon, 28 days; which amounts in the whole to the sum of 23*l.* 13*s.* 4*d.*

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Lee do carry the resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER.—The Senate have agreed to the resolutions of this House, for paying to Burr Harrison, the several sums of 720*l.* 4*s.* 0*d.* and 134*l.* 3*s.* 6*d.* And also,

The Senate have agreed to the resolutions of this House, appointing Mann Page, jun. Esq., a delegate to the General Congress, in the room of Benjamin Harrison, Esq. And then he withdrew.

The House being informed that John Goodrich, the elder, a citizen of this Commonwealth, had escaped from custody in the county of Albemarle, with intent as it is supposed to join the enemies of the Commonwealth, to give them aid and comfort, and to levy war on the Commonwealth;

*Resolved*, That the said John Goodrich ought to be prosecuted as the laws direct in such cases of offence, and according to the nature of the evidence against him; and *Ordered*, that the attorney general be accordingly directed to institute such prosecution so soon as the General Court shall be established and opened.

The order of the day being read, for the House to resolve itself into a committee of the whole House, on the letter from the Governor, desiring the opinion of the House whether the militia called out for the defence of the county of Kentucky, and who remained in forts, ought to be paid for their services;

The House resolved itself into the said committee.

Mr. Speaker left the chair.

General Nelson took the chair of the committee.

Mr. Speaker resumed the chair.

General Nelson reported, from the committee, that they had come to a resolution, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, that it is the opinion of this committee, That one uniform rule of law is to be applied to all the citizens of this Commonwealth, that the act of Assembly, "providing against invasions and insurrections," has pointed out the

occasions of calling out the militia into actual duty, the mode of doing it, and of ascertaining and certifying their services; that if the directions of the said act have been observed in the case of the militia of Kentucky, mentioned in the Governor's letter, they are entitled to receive their pay; and therefore, that the auditors should proceed to examine their accounts, and that the Governor be advised to direct the same accordingly.

*Ordered*, That General Nelson, do wait upon the Governor with the resolution.

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which with other papers were ordered to lie upon the table.

When the House adjourned till to-morrow morning, 10 o'clock.

### SATURDAY, November 15, 1777.

The order of the day being read, for the House to proceed by joint ballot with the Senate, to the appointment of field officers, of the regiment of artillery, raised for the defence of this Commonwealth,

The House nominated several persons to be ballotted for.

*Ordered*, That Mr. Starke do carry a list of the persons so nominated to the House.

A message from the Senate, by Mr. Henry Lee:

MR. SPEAKER,—The Senate are satisfied with the persons nominated by this House, to be ballotted for as colonel of the regiment of artillery, and have no person to nominate for that office. And then he withdrew.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed colonel of the said regiment.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Starke, General Nelson, Fleming and Zane; and they are to withdraw immediately.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

Mr. Starke, reported from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards deposited it in the clerk's table, where the same was read, and is as followeth, viz:

For Thomas Marshall, Esq.	75	George Muter, Esq.	13
James Innes, Esq.	17	Everard Meade, Esq.	3

*Resolved*, That the said Thomas Marshall, be appointed colonel of the regiment of artillery, raised for the defence of this Commonwealth, he having been chosen for that purpose by joint ballot of both Houses.

*Ordered*, That Mr. Richard Lee, do carry the resolution to the Senate, and desire their concurrence.

The House nominated several persons to be ballotted for, as lieutenant colonel of the regiment of artillery, raised for the defence of this Commonwealth.

*Ordered*, That Mr. Richard Lee do carry a list of the persons so nominated to the Senate.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate are satisfied with the persons nominated by this House, to be ballotted for as lieutenant colonel of the regiment of artillery, and have no person to nominate for that office. And then he withdrew.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed lieutenant colonel of the said regiment.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Richard Lee, General Nelson, Starke, Fleming, Zane and Webb, and they are to withdraw immediately.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith.

Mr. Lee reported from the committee, that they had met a committee of the Senate in the conference room, and jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

For George Muter, Esq.	55	For Charles Porterfield, Esq.	8
James Innes, Esq.	21	John Clopton, Esq.	5
Thomas Matthews, Esq.	16	Thomas Jones, Esq.	3

*Resolved*, That the said George Muter, Esq. be appointed lieutenant-col. of the regiment of artillery, raised for the defence of this Commonwealth; he having been chosen for that purpose by joint ballot of both Houses.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

The House nominated several persons to be ballotted for, as major of the regiment of artillery, raised for the defence of this Commonwealth.

*Ordered*, That General Nelson do carry a list of the persons so nominated to the Senate.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate are satisfied with the persons nominated by this House, to be ballotted for as major of the regiment of artillery, and have no persons to nominate for that office. And then he withdrew.

*Ordered*, That the members do immediately prepare tickets to be put in the glasses, with the name of the person to be appointed major of the said regiment.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall to them, to the House.

And a committee was appointed, of Messrs. Gen. Nelson, Richard Lee, Henry, Cary, Bullitt and Zane, and they are to withdraw immediately.

*Ordered*, That Gen. Nelson do acquaint the Senate therewith.

Gen. Nelson reported from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

For Thomas Matthews, Esq.	54	For Charles Porterfield, Esq.	8
William Starke, jun. Esq.	24	Griffin Pearl, Esq.	7
John Green, Esq.	11		

*Resolved*, That the said Thomas Matthews be appointed major of the regiment of artillery, raised for the defence of this Commonwealth, he having been chosen for that purpose by joint ballot of both Houses.

*Ordered*, That Gen. Nelson do carry the resolution to the Senate, and desire their concurrence.

A petition of Abraham Vanbibber was presented to the House, and read; setting forth, that on the commencement of hostilities between Great Britain and America, he went to the island of St. Enstatia, in order to provide military stores for the State of Maryland; and that during his residence in the said island, he had the honor to receive from the executive power of this State, orders for warlike stores, which are articles prohibited by the States of Holland not to be shipped to America; but that, regardless of the risk, he with great caution, contrived to ship off large quantities of warlike stores by stratagem; that he continued to carry on this business undiscovered for a great length of time, and should perhaps have continued to be serviceable in that way to this day, had not a certain Capt. Ralls, in a vessel from this State, been addressed to him, who, without consulting the petitioner, left the harbor of St. Eustatia, though the petitioner was bound for his good behavior, and captured a vessel which had received a cargo from that island; but, that afterwards, having had the misfortune with his prize to fall into the hands of the enemy, he was so imprudent as to make known in the fullest manner the services the petitioner had rendered the States of America; in consequence of which, the petitioner was apprehended, and thrown into prison, where he suffered great hardships, and afterwards incurred great expense in making his escape; and as these hardships and expenses were brought upon him by the indiscretion of an officer belonging to this State, he prays the House will take the matter into consideration, and grant him such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the consideration of a committee; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And it is referred to Messrs. George Mason, General Nelson, Fitzhugh, Cary, Prentiss and Jefferson.

The Speaker laid before the House a letter from the Governor, enclosing several papers on the subject of Indian affairs.

And the said letter and papers were read.



*Ordered*, That the said letter and papers do lie upon the table, to be perused by the members of the House.

The Speaker laid before the House a letter from Mann Page, jun. Esq. declining to accept the office of a delegate to the General Congress, to which he hath been elected.

And the said letter was read.

*Ordered*, That the said letter do lie upon the table.

A petition of Benjamin Blackburn was presented to the House, and read; setting forth, that in September, 1776, he was employed by Gen. Lewis to carry 500 lbs. of gunpowder from Williamsburg to Botetourt county; and that, by the badness of the casks 50 lbs. of the powder was lost in its way up; and praying he may not be made answerable for the said powder.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A member of this House having desired leave to resign his seat, because he was about to remove into another county than that for which he was elected,

*Resolved*, That this House hath no authority to give permission to any of its members to resign their seats here.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolution of this House for paying to William Gorman the several sums of 10*l*. and 40*l*.; and also,

The Senate have agreed to the resolution of this House, appointing James Madison, Esq. a member of the Privy Council, or Council of State; and then he withdrew.

Mr. Fitzhugh, one of the commissioners appointed by the act of the General Assembly "for the encouragement of iron works," reported, that the commissioners, attended by the surveyor and sheriff of the county of Stafford, and a jury, had, in conformity with the directions of the forementioned act, gone upon the tract of land in the said county called and known by name of the Accaheek Furnace Tract, and directed 200 acres thereof to be laid off and valued, and had directed him to report the same to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, together with a letter from Thomas Russell, one of the company who owned the said land, a plat of the said 200 acres, and the valuation thereof by the jury, annexed to the report.

*Ordered*, That the said report, letter, plat and valuation, remain in the clerk's office among the papers of this session.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider further of the motion, "that a supply be provided for the public exigencies."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

And then the House adjourned till Monday morning, 10 o'clock.

#### MONDAY, November 17, 1777.

The House being informed that Mr. Thompson Mason, one of the members for the county of Loudon, attended in custody of the serjeant at arms; and it appearing that he was employed in the public service, when the House was called over on the 22d day of October last;

*Ordered*, That the said Thompson Mason be discharged out of custody, without paying fees.

A petition of William Frazer, was presented to the House, and read; setting forth, that he conceives the warehouses in the county of King William, called Quarles's, to be very improperly placed, and inconvenient, both for receiving and delivering tobacco; that he is greatly injured by the road which leads to the said warehouses running through the middle of his land. That the petitioner lives about a mile below the warehouses, which are situated at least an half of a mile from the river, and keeps a public ferry, where he has a good wharf and landing at a place very convenient for public warehouses; and that he proposes to remove the warehouses to his said landing, and there to erect them as convenient to the public as possible, and in future to keep them up at his own expense; and praying he may be permitted to remove the said warehouses to his said land, on the terms aforesaid.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Orange, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they labor under great hardships from the inconvenient situation of the courthouse of their county so far distant from them; that it is often impossible for them to comply with the laws of their country, which they wish to do; that many of the petitioners have upwards of thirty miles to ride to attend general musters, and courts martial, sometimes to get excused a fine of five shillings; and that the county is sixty or sixty five miles in length and not more than seven or eight miles in width; and praying that the said county may be divided by running a line from the mouth of the mill-run below Barnett's Ford, where it empties itself into the Rappidanne, and thence by a direct course, so as to strike Bradburn's Ford on the north fork of Pamunkey, adjoining Louisa county.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day being read for the House to resolve itself into a committee of the whole House, to consider further of the motion, "that a supply be provided for the public exigencies,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

General Nelson took the chair of the committee.

Mr. Speaker resumed the chair.

General Nelson reported from the committee, that they had made a farther progress in the matters to them referred; and that he was directed by the committee, to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies."

*Ordered*, That Messrs. Thompson Mason and Zane, be added to the committee appointed to examine into, and report the state, progress, and expense, of the several public salt works.

The House being informed that Mr. William Hubbard, one of the members for the county of Charlotte, attended in custody of the serjeant at arms,

*Ordered*, That the said William Hubbard be discharged out of custody, paying fees.

*Ordered*, That Messrs. George Mason and Thompson Mason, be added to the committee appointed to bring in a bill "for establishing a Court of Appeals."

The other orders of the day being read,

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."

*Resolved*, That this House will, on Thursday next, resolve itself into a committee of the whole House, to consider of the letters from the Governor, which, with several other papers were ordered to lie upon the table.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, November 18, 1777.

A message from the Senate by Mr. Carrington :

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying to Martha Hodges 6*l.* 15*s.*, Benjamin Bohon 23*l.* 13*s.* 4*d.*, and Randolph Fuqua 10*l.* And then he withdrew.

An engrossed bill "to empower the vestry of Saint Patrick's parish, in the county of Prince Edward, to sell the glebe of the said parish, and to lay out the money in purchasing a more convenient glebe," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act to empower the vestry of Saint Patrick's parish, in the county of Prince Edward, to sell the glebe of the said parish, and to lay out the money in purchasing a more convenient glebe."

*Ordered*, That Mr. Morton do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate have agreed to the resolutions, for appointing Thomas Marshall, Colonel; George Muter, Lieutenant Colonel; and Thomas Matthews, Major of the Regiment of Artillery; raised for the defence of this Commonwealth. And then he withdrew.

A petition of sundry inhabitants of the county of King George, formerly Stafford, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that agreeable to the directions of an act of Assembly, passed in the year 1776, obliging the different counties to furnish particular officers and men, Stafford county furnished a captain and an ensign, who made up their quotas of men within the time limited, when the division of the counties took place; and that at the next session, a law was passed to oblige each county to make up their deficiencies by draughts; and as the part of the county in which they live, then became King George, they were of course draughted; and the upper part of King George being added to Stafford, became exempted; and praying relief.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of that part of Stafford county, lately taken from the county of King George, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that some short time before the division of the said counties took place, an act passed the General Assembly, directing those counties to furnish a complete company of infantry for the continental army; that the county of Stafford was to have the appointment of a captain and an ensign, and King George county two lieutenants; that the court martial of the then county of Stafford, appointed two gentlemen, who, being agreeable to the people in general, soon made up their quotas of men, but that the officers appointed on the part of King George, resided in an extreme part of the county, and were little known; in consequence of which the greatest part of their quota still remains to be made up; so that the said county of King George, is obliged to furnish the number still deficient, or to be draughted for that purpose; that when the appointment was made by the court martial of King George, a gentleman residing in their part of the said



county, applied for a lieutenancy, and was refused, who, in a few weeks afterwards, had a captain's commission given him by the Governor, in the service of the Commonwealth; and in a short time raised his quota chiefly among the petitioners, so that there is great reason to believe, had he been appointed for the continent, his proportion of men would easily have been made up; that since the commencement of the present war, their part of the county, formerly King George, and now Stafford, hath furnished more than double the number of soldiers the whole county of King George as it now stands hath furnished, although it doth not contain more than one third of the number of inhabitants; that notwithstanding this, they are informed, the inhabitants of King George propose applying to the House, to be exempted from the draught aforesaid, and to subject the petitioners thereto, which they conceive would be unjust, and productive of much confusion; and praying the act of Assembly aforesaid, may not be repealed or altered.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the appointment of a delegate to the General Congress, in the room of Mann Page, jun. Esq. who hath declined the said appointment.

*Ordered*, That General Nelson do acquaint the Senate therewith.

*Ordered*, That Mr. Bolling have leave to be absent from the service of this House, for the remainder of the session.

A bill "for altering the court day of the county of Washington," was read the second time.

*Ordered*, That the bill be engrossed.

A petition of John Balentine and John Bevely, was presented to the House, and read; setting forth, that the money advanced for building the Buckingham Furnace, is exhausted, and the said Furnace not yet complete; that it has not been owing to any extravagance or mismanagement, but entirely to the high price of laborers, provisions, and materials necessary for the said works; that they beg leave to refer to the accounts and vouchers, which shew the expensiture of the money formerly granted; that they hope, a scheme so promising, and so nearly accomplished, will not be laid aside—the rather, as the lands and slaves are conveyed for the use of the Commonwealth, and the chief dependence for pig iron to supply the foundery for casting cannon, is on those works; and praying a further sum of money may be granted, for carrying on the same.

*Ordered*, That the said petition, together with the accounts therein referred to, be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

General Nelson took the chair of the committee.

Mr. Speaker resumed the chair.

General Nelson reported from the committee, that they had made a farther progress in the matters to them referred, and that he was directed by the committee to move, that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider farther of the motion "that a supply be provided for the public exigencies."

Mr. Richard Lee reported from the committee of Public Claims, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the petition of Thomas Williams, praying to be reimbursed the difference of the sum which it appears he was obliged to advance for 199 1-4lbs. of bacon, for the use of his militia when on their march to Williamsburg, and the sum allowed him by the commissioners, is reasonable; and that the petitioner ought to be allowed the balance, being 7l. 9s. 5d.

*Resolved*, that it is the opinion of this committee, That the petition of Richard Epperson and Catlet Jones; setting forth, that they were employed as soldiers in defending the country, and protecting the inhabitants of Kentucky against the depredations and cruelties of the savages, in which service they both were wounded and rendered incapable of getting a livelihood by labor, and praying relief, is reasonable; and that the petitioners ought, each, to be allowed the sum of 10l. for their present relief; and the further sum of 5l. per annum during life.

*Resolved*, that it is the opinion of this committee, That the petition of Margaret Gambel; setting forth, that her husband enlisted in the continental service and marched to Philadelphia, where he died sometime last winter, and left the petitioner with two small children in distressed circumstances, and praying relief, be rejected.

The first resolution of the committee being read a second time, was, on the question put thereupon, agreed to by the House.

The 2d and 3d resolutions of the committee being read a second time, and the question being put, that the said resolutions be recommitted to the same committee,

It was resolved in the affirmative.

*Ordered*, That Mr. Richard Lee do carry the 1st resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Holt:



MR. SPEAKER.—The Senate have agreed to the resolutions of this House for paying to Margaret Douglas, 6*l.* 7*s.* 6*d.*; Richard Morton, 16*l.* 9*s.* 2*d.*; and to the resolution of this House, directing the public jailor to admit the negro man slave therein mentioned to the necessary use of fire, without any amendments. And also,

The Senate have agreed to the resolution of this House, for paying to Thomas Johnson, 15*l.* 5*s.* 6*d.*; with an amendment, to which amendment the Senate desire the concurrence of this House. And then he withdrew.

The Speaker laid before the House a letter from the Governor, enclosing an estimate of the probable expenses of the current year.

And the said letter was read.

*Ordered*, That the said letter and estimate, be referred to the committee of the whole House, on the motion "that a supply be provided for the public exigencies."

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, November 19, 1777.

Several other members having taken the oath appointed by law to be taken, took their seats in the House.

Mr. Richard Lee reported from the committee of Public Claims, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the petition of John Peed, of the Hero Galley, who lost the sight of one of his eyes, in consequence of a blow which he accidentally received from one of the men on board the said Galley, praying relief, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of Robert Long, a soldier in Captain Jameson's company of minute men, who, from the hardships he suffered whilst in the service, contracted a disorder, which deprived him of the use of his limbs, praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.*

*Resolved*, that it is the opinion of this committee, That so much of the petition of Anne Bolling, as prays an allowance for nursing and maintaining her sons William and Jesse Bolling, soldiers in the minute service, who came to her house sick sometime in October, 1776, and there remained in a low state for a considerable time, is reasonable; and that the petitioner ought to be allowed for her trouble and expense, at the rate of 10*d.* per day for 150 days, for her son John; and for 21 days, for Jesse, amounting in the whole to the sum of 7*l.* 2*s.* 6*d.*

*Resolved*, that it is the opinion of this committee, That such other part of the petition, as prays an allowance for nursing and maintaining Thornsberry Bolling, a soldier in the continental service, who also came to the petitioner's house sick, and so continued for a considerable time, be rejected.

*Resolved*, that it is the opinion of this committee, That so much of the petition of Thomas Finnel, as prays an allowance for nursing and maintaining his son John Finnel, a soldier in the minute service, who came to his house sick sometime in September, 1776, where he remained in that state till the Spring following, is reasonable; and that the petitioner ought to be allowed for his trouble and expense, at the rate of 10*d.* per day for 210 days, which amounts to the sum of 8*l.* 15*s.*

*Resolved*, that it is the opinion of this committee, That such other part of the petition, as prays an allowance for nursing and maintaining Reuben Finnel, a soldier in the continental service, who was for several months sick at the petitioner's house, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of James Duncan, Richard Reeves and William Grills, praying to be allowed for their rifles, which were lost, with several other articles by the staving of a boat in which the petitioners were ordered to escort a quantity of provisions for the use of the garrison at Fort Randolph, is reasonable; and that the said James Duncan ought to be allowed the sum of 5*l.*, Richard Reeves 6*l.* and William Grills 8*l.* 16*s.*

*Resolved*, that it is the opinion of this committee, That the memorial of Samuel Ewing, in behalf of himself, Joseph Blankenship and James McCall, representing, that, in consequence of a reward offered by Colonel Christian on the Cherokee expedition, of one hundred pounds, to any person who would bring a prisoner from the Cherokee nation to their camp, by which he might procure necessary intelligence respecting the intention and disposition of the enemy: the memorialists were induced to undertake this hazardous enterprise, and set out for the town of Toquo, where they arrived some days after, and could easily have effected the captivity of an Indian man; but, fearing it would cause a discovery, and the trip fail to answer the desired purpose, they declined it; and conceiving intelligence was all that was necessary, they, with difficulty, procured it from one Davis, who was generally supposed better acquainted with Indian affairs than any other person in the town; and then returned, and gave every account they had collected to Col. Christian; and praying to be allowed the said reward, is reasonable; and that the memorialists ought to be allowed the said sum of 100*l.* for their services.

*Resolved*, that it is the opinion of this committee, That the petition of William Bristow, a soldier in Capt. George Nicholas's company, who, whilst in the service caught a severe cold, attended with violent pains, which settled in his

thigh and leg, and deprived him of the use thereof, praying relief, be rejected; it appearing, that at the time the petitioner was taken sick, he was in the continental service.

The first, second, third, fifth, seventh and eighth resolutions of the committee being read a second time, were, upon the question severally put thereupon, agreed to by the House.

The fourth resolution being read a second time, the amendment following, was proposed to be made thereunto: to leave out "be rejected," and to insert "is reasonable, and that the petitioner ought to be allowed for her trouble and expense, at the rate of 10*l.* per day for 150 days, amounting to the sum of 6*l.* 5*s.* 0*d.*; and that the same ought to be charged in the account of this Commonwealth against the United States of America," instead thereof; and the question being put, that the words "be rejected" stand part of the said resolution,

It passed in the negative.

And the question being put, that the words "is reasonable, and that the petitioner ought to be allowed for her trouble and expense, at the rate of 10*l.* per day, for 150 days, amounting to the sum of 6*l.* 5*s.* 0*d.*., and that the same ought to be charged in the account of this Commonwealth against the United States of America," be inserted instead thereof,

It was resolved in the affirmative.

*Resolved*, That this House doth agree with the committee in the said resolution, so amended; that such other part of the petition of Anne Bolling, as prays an allowance for nursing and maintaining Thornsberry Bolling, a soldier in the continental service, who also came to the petitioner's house sick, and so continued for a considerable time, is reasonable; and that the petitioner ought to be allowed for her trouble and expense, at the rate of 10*l.* per day, for 150 days, amounting to the sum of 6*l.* 5*s.* 0*d.*; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

The sixth and ninth resolutions of the committee, being read a second time, and the question being put that the said resolutions be recommitted to the same committee,

It was resolved in the affirmative.

*Ordered*, That Mr. Lee do carry the 2d, 3d, 4th, 5th, 7th and 8th resolutions to the Senate, and desire their concurrence.

*Ordered*, That the committee of Propositions and Grievances be discharged from proceeding upon so much of the petition of sundry inhabitants of the county of Botetourt, as prays that the titles to their lands may be confirmed, and patents granted for the same.

*Ordered*, That the said petition do lie upon the table.

Mr. Nicholas reported, from the committee of Propositions and Grievances, to whom the petition of divers inhabitants of the county of Botetourt was referred, that the committee had examined the matter of the said petition, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolution of the committee was read, and is as followeth:

*Resolved*, that it is the opinion of this committee, That the consideration of the said petition be referred to the next session of Assembly.

The said resolution being read a second time, and the question being put, that the said resolution be recommitted to the same committee,

It was resolved in the affirmative.

A petition of Nathaniel Gist was presented to the House, and read; setting forth, that some time in the year 1761, or 1762, the chiefs of the Cherokee nation of Indians granted unto the petitioner the great island lying in Holston's river, which at that time was situated within the territories of that nation, agreeable to the line settled by treaty; but that the petitioner fearing to give offence to government, and apprehensive it might serve as an example and encouragement to the white inhabitants to encroach on the Indian's lands and cause uneasiness with them, neglected making any settlement upon the said island; that at the treaty held last summer between the Cherokee Indians and commissioners from Virginia and North Carolina, that nation hath acceded to a boundary which leaves the said island within the limits belonging to the said States, but at the same time expressly reserved the right of it to the petitioner; and praying an act may pass to confirm and ratify the said treaty, and to secure to him the island aforesaid, or so much thereof as may lie within this State.

*Ordered*, That the said petition do lie upon the table, to be perused by the members of the House.

A petition of Thoroughgood Smith, administrator of the estate of Patrick Galt, deceased, was presented to the House, and read; setting forth, that the said Galt being applied to by three captains of the ninth regiment to attend their companies, before a surgeon was appointed to the said regiment, he accordingly did attend them, from about the 1st of January till some time in the month of May following; that the said Galt being a candidate for the surgeon's place to the said regiment, did not keep any regular account of his attendance and medicine, though the petitioner expects he shall be able to prove that his services were considerable; and that he also attended a prisoner of war who had been frostbitten, and effected his cure; and praying such compensation for his services as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of William Lewis was presented to the House, and read ; setting forth, that he had a vessel impressed in the service of the country, which, with a bayonet therein, was lost ; that he had also a horse impressed in the same service to call in the militia when the enemy's fleet appeared in the Potomac, which was returned him much injured ; and praying such compensation as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims ; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill "to establish a new ferry," was read a second time.

*Resolved*, That the bill be committed to the committee of Propositions and Grievances.

A bill "for establishing a town in the county of Hampshire" was read a second time.

*Resolved*, That the bill be committed to Messrs. Neaville and Abraham Hite.

*Ordered*, That the proceedings on the claim of Richard Henderson and Company, and on the several petitions relating to the subject matter thereof, stand revived, and that the commissioners formerly appointed to take depositions do proceed to take and return the same.

*Ordered*, That leave be given to bring in a bill "to amend an act entitled 'an act for preventing excessive and deceitful gaming,'" and that Messrs. Henry and Richard Lee do prepare and bring in the same.

On information that a negro man slave has been committed to the public jail as a runaway ; that he is unable to tell his master's name and is very naked ; that the keeper of the said jail is unable to furnish him with a blanket or clothing ; that while he remains in the said jail, he cannot have the use of fire, and that there is danger of his perishing with cold,

*Ordered*, That the said keeper admit him to the necessary use of fire, in such apartments of his houses as may be convenient, and use what diligence he can to prevent his escape ; and that if he should, notwithstanding, escape, the public will indemnify the said keeper.

*Ordered*, That Mr. Jefferson do carry the order to the Senate, and desire their concurrence.

A message from the Senate by Mr. Henry Lee :

MR. SPEAKER,—The Senate are now ready to proceed, by joint ballot with this House, to the choice of a delegate to Congress, in the room of Mann Page, jun. Esq. And then he withdrew.

The order of the day being read, for the House to proceed, by joint ballot with the Senate, to the appointment of a delegate to represent this Commonwealth in General Congress, in the room of Mann Page, jun. Esq., who hath declined accepting the said appointment,

The House nominated several persons to be ballotted for.

*Ordered*, That Mr. Cary do carry a list of the persons so nominated to the Senate.

A message from the Senate by Mr. Carrington :

MR. SPEAKER,—The Senate are satisfied with the persons nominated by the House to be ballotted for, and have not nominated any others. And then he withdrew.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed a delegate to the General Congress, in the room of Mann Page, jun. Esq.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets ; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Cary, Bowyer, Henry, Gen. Nelson and George Mason ; and they are to withdraw immediately.

*Ordered*, That Mr. Cary do acquaint the Senate therewith.

Mr. Cary reported from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House ; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz :

For John Banister, Esq.	44	For John Walker, Esq.	12
Thomas Adams, Esq.	37	Meriwether Smith, Esq.	10

And it appearing from the report of the committee, that neither of the persons therein mentioned hath a majority of both Houses, the House proceeded to ballot between the said John Banister and Thomas Adams, they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets, to be put into the glasses, with the name of the person to be appointed the said delegate.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.



*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Cary, Bowyer, Henry, Nelson, and George Mason; and they are to withdraw immediately.

*Ordered*, That Mr. Cary do acquaint the Senate therewith.

Mr. Cary reported from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for as it appeared to them to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

For John Banister, Esq.

51

Thomas Adams, Esq.

50

*Resolved*, That the said John Banister, Esq. be appointed a delegate to represent this State in General Congress, in the room of Mann Page, jun. Esq., he having been chosen for that purpose, by joint ballot of both Houses.

*Ordered*, That Mr. Cary do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That Messrs. Smith, Eskridge, Zane, Tipton, Porter, Crocket, Jett and Richard Lee, be added to the committee of Propositions and Grievances.

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the motion "that a supply be provided for the public exigencies."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, November 20, 1777.

*Ordered*, That leave be given to bring in a bill, "to prevent forestalling, engrossing, and regrating," and that Messrs. Jefferson, Pendleton, George Mason, Bullitt, and Carter, do prepare and bring in the same.

*Ordered*, That Mr. Fitzhugh have leave to be absent from the service of this House until Saturday se'nnight next, for the recovery of his health.

*Ordered*, That Mr. Ruffin have leave to be absent from the service of this House, until Monday se'nnight next.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Gen. Nelson took the chair of the committee.

Mr. Speaker resumed the chair.

Gen. Nelson reported from the committee, that they had made a farther progress in the matters to them referred, and had directed him to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies."

The other order of the day being read,

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Ordered*, That Mr. Upshaw be added to the committee of Propositions and Grievances.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### FRIDAY, November 21, 1777.

*Ordered*, That Mr. Burwell have leave to be absent from the service of this House until Wednesday next; and Messrs. Syme, Joseph Speed and Fulgham, until Monday se'nnight next.

A petition of John Ballendine was presented to the House, and read; setting forth, that by an act of Assembly passed in the year 1772, entitled "an act for opening the falls of James River by subscription, and for other purposes," subscribers were vested with powers to effect that necessary work, and certain tolls imposed to defray the expense thereof; that the subscribers having since declined engaging in so arduous an undertaking, but, being desirous that it should be accomplished, have transferred their interest to the petitioner; in consequence of which, he hath begun a canal and

made considerable progress therein; and, although it is attended with considerable expense, doubts not but that he will be able to complete the same, if he meets with no interruption from those through whose lands it must pass; and praying, that an act may pass, vesting him with the same powers as the subscribers were vested with, under the act of Assembly aforesaid.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Edward Lewis was presented to the House, and read; setting forth, that he was a soldier in Capt. Edward Broadnax's company of militia, and when on parade doing his duty his gun unfortunately burst, which occasioned the loss of the thumb and forefinger of his right hand, and so injured the other parts of that hand that it is rendered useless; whereby he is deprived of the means of procuring a livelihood by labor; and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Spotsylvania, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they are informed a petition from the county of Orange, praying a division of the said county, hath been presented to this House, which, if granted, the petitioners find will be convenient to the lower end of the said county of Orange; and praying that a line may be run from the fork of the wilderness above the bridge, to the fork of Pamunkey river on the Louisa line; and that the part of their county adjoining the county of Orange may be annexed to the lower part of Orange county.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Peter Hommel was presented to the House, and read; setting forth, that in the year 1775, the petitioner maintained for six months, a certain James Evans, a soldier in the minute service, who had his thigh broken, and was brought to the petitioner's house by Captain Jonathan Langdon, who promised to satisfy the petitioner for his services; but, after the soldier's recovery, refused to pay him for the same, or even grant him a certificate; and praying such compensation as may be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Carrington:

**MR. SPEAKER**,—The Senate have agreed to the resolution of this House, for paying to Thomas Williams 7*l*. 9*s*. 5*d*. And also,

The Senate have agreed to the bill, entitled "an act to empower the vestry of Saint Patrick's parish, in the county of Prince Edward, to sell the glebe of the said parish, and to lay out the money in purchasing a more convenient glebe." And then he withdrew.

A petition of Lewis Lee was presented to the House, and read; setting forth, that relying on the laws formerly in force, he purchased a certain Jesse Kelley, a mulatto man, who had upwards of thirteen years to serve, for the sum of 50*l*.; that the said servant was enlisted, and is detained by Lieutenant Cannon, of the 15th regiment, in consequence of the late act of Assembly, which was not known to the petitioner; and praying such compensation may be made him for his said servant, as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Caroline, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the Bountiful Creator having given man dominion over the fish for food, and appointed their habitation in the waters, which He made incapable of separate or individual property, manifested his intention that this providential supply of sustenance should ever remain in common to be caught indifferently by all, whose necessity or other circumstances should prompt to seek them; and not to be engrossed, by a few proprietors of adjacent lands, in exclusion of all others; that, agreeable to this system, in the old form of government, grants of adjoining lands were bounded by the edge of the waters, and those waters retained as the property of the Crown, in order to preserve this, with other common uses, for the benefit of all the members of the community, which they conceive to be transferred from the Crown to the Commonwealth for the same uses; that, nevertheless, the landholders on the western side of Rappahannock, have disputed the right of the petitioners to fish in that river, opposite to their shores; and that doubts have arisen what are the proper limits or bounds between the landed property and the common; and praying their common of fishery may be declared, and confirmed, and the bounds thereof fixed at high water mark on the shores; and that the county courts may be empowered and directed to cause private ways to be laid out for the petitioners, and others, to pass to and from the waters, at such places as may be least injurious to the landholders.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

A petition of John Aimes was presented to the House, and read; setting forth, that being possessed of a mulatto lad, who, by the laws of this country was his servant, he was some time last Spring taken from your petitioner by Capt. Pollard, who enlisted him as a soldier in the service of this State, and still detains him to the great loss of



the petitioner; and praying, that such compensation may be made him for his said servant, as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Thomas Nelson was presented to the House, and read; setting forth, that in the year 1772, George Bullitt was bound an apprentice to the petitioner, to learn the art and mystery of a blacksmith, the said apprentice being then about fourteen years old; that, as soon as the petitioner had taught the said apprentice his trade, and given him the necessary schooling, he enlisted in the train of artillery raised for the defence of this State; and praying relief.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying to Robert Long, 30*l*. Anne Bolling, 7*l*. 2*s*. 6*d*., and 6*l*. 5*s*.; and to Thomas Finnel, 8*l*. 15*s*.; without any amendment. And also,

The Senate have agreed to the resolution of this House, for paying to William Grills, 8*l*. 16*s*.; James Duncan, 5*l*., and Richard Reeves 6*l*.; with an amendment, to which amendment the Senate desire the concurrence of this House.

*Ordered*, That Messrs. Adams, Jett, Rose, Smith of Essex, Parsons, Shelton, and Todd of Kentucky, be added to the committee appointed to examine the treasurer's accounts.

Several petitions of sundry inhabitants of the county of Culpeper, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that they have labored under great hardships from the inconvenient situation of the courthouse of the said county, where they are obliged to attend general musters, elections, and other public business; that the inhabitants of the county of Orange having petitioned for a division thereof, by a line beginning at the mouth of Blue Run, and running thence a south course to the said county, they pray that the part of the county of Culpeper, called Robinson Fork, may be added to the upper end of Orange county, above the mouth of the said Blue Run.

*Ordered*, That the said several petitions be referred to the committee of Propositions and Grievances; and that they do examine the matters thereof, and report the same, with their opinion thereupon, to the House.

Mr. Kello, from the commissioners appointed to inquire into, and ascertain, the losses sustained by the late inhabitants of Norfolk, reported, that the commissioners had inquired accordingly, and had directed him to report the matters as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read.

*Ordered*, That the said report do lie upon the table, to be perused by the members of the House.

Mr. Nicholas reported, from the committee of Propositions and Grievances, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of that part of the county of King George, formerly Stafford, setting forth, that previous to the division of the said counties, and while the petitioners remained in the county of Stafford, the quota of men allotted to that county by an act of Assembly for raising six additional battalions of infantry, was recruited and enlisted; and that, being since added to the county of King George, they have been subjected to a draught, and eight men taken or fixed on to make up the deficiency of the said county of King George; and praying relief, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petitions of divers inhabitants of that part of the county of Stafford lately taken from the county of King George, in opposition thereto, be rejected.

The said resolutions being severally read a second time, and the question being severally put, that the House do agree with the committee in the said resolutions,

It passed in the negative.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the motion "that a supply be provided for the public exigencies,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

General Nelson took the chair of the committee.

Mr. Speaker resumed the chair.

General Nelson reported from the committee, that they had made a farther progress in the matters to them referred; and that they had directed him to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the motion, "that a supply be provided for the public exigencies."

Mr. Nicholas reported, from the committee of Propositions and Grievances, to whom the petition of John Ballentine and John Revelly was referred, that the committee had examined the matter of the said petition, and had directed him to report the same as it appeared to them, together with the resolutions of the committee thereupon, to the House;



and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth :

It appears to your committee, that the sum of 5,000 pounds, formerly granted by the Assembly to the petitioners, for purchasing of lands and erecting thereon a blast furnace in the county of Buckingham, hath been properly expended, under the direction of the trustees. Thereupon, the committee came to the following resolutions :

*Resolved, that it is the opinion of this committee,* That the petition of the said John Ballendine and John Revely, praying that a further sum of money may be advanced, is reasonable ; and that the sum of 2,500*l.* will be requisite to pay off sundry arrears, to enable the petitioners to purchase an additional quantity of land, and provide other necessities for the use of the works.

*Resolved, therefore,* That the said sum of 2,500*l.* be granted for the purposes above mentioned ; to be, under the direction of the said commissioners, drawn for, and applied as directed by a former resolution ; and that they ought to take proper conveyances for all lands and other articles to be purchased, as a farther security to the public.

*Ordered,* That Mr. Nicholas do carry the resolutions to the Senate, and desire their concurrence.

And then the House adjourned till to-morrow morning, 10 o'clock.

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SATURDAY, November 22, 1777.

Mr. Richard Lee reported, from the committee of Public Claims, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House ; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz :

*Resolved, that it is the opinion of this committee,* That the petition of Henry Munday Marrs, praying to be allowed for a horse, employed in carrying baggage to the mouth of Wheeling, which was killed by tumbling down a precipice, is reasonable ; and that (after deducting eighteen shillings and nine pence, which has been received for hire, from seven pounds, the sum to which the said horse was appraised) the petitioner ought to be allowed the balance, being 6*l.* 1*s.* 3*d.*

*Resolved, that it is the opinion of this committee,* That the petition of Robert Campbell, a soldier in Capt. Thompson's company of militia, on the expedition against the Indians in 1774, who was wounded in the left arm by a gun accidentally discharged in the hands of a fellow soldier, and thereby rendered incapable of getting a livelihood by labor, praying relief, is reasonable ; and that the petitioner ought to be allowed the sum of 10*l.* for his present relief, and the farther sum of 10*l.* per annum during life.

*Resolved, that it is the opinion of this committee,* That that the petition of Edmund Rufin, jun., praying to be allowed for his negro man Ned, who ranaway and was taken up on his way to join Lord Dunmore, and sent to the public jail, where he remained for some time ; and the petitioner not being anxious for his enlargement lest he might corrupt the minds of others ; and the committee of Safety, from his behavior during confinement, thought proper to continue him in jail, where he remained for a considerable time ; and when discharged, was delivered with several others to Capt. Eustace, but for what purpose does not appear, is reasonable ; and that the petitioner ought to be allowed 60*l.* for the said slave, it being the sum to which he was valued.

The 1st and 2d resolutions of the committee, being severally read a second time, were upon the question severally put thereupon, agreed to by the House.

The last resolution of the committee being read a second time, and the question being put, that the said resolution be recommitted to the said committee,

It was resolved in the affirmative.

*Ordered,* That Mr. Richard Lee, do carry the 1st and 2d resolutions to the Senate, and desire their concurrence.

Mr. Richard Lee reported from the committee of Public Claims, to whom the resolutions of the committee upon the petitions of Margaret Gambel, Richard Epperson, Cadet Jones, William Bristow and Thomas Finnel, were re-committed, that the committee had reconsidered the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House, and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz :

*Resolved, that it is the opinion of this committee,* That Margaret Gambel, whose husband died in the continental service, ought to be allowed the sum of 30*l.* for the support of herself and children, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved, that it is the opinion of this committee,* That Richard Epperson, ought to be allowed the sum of 10*l.* for his present relief, and the further sum of 5*l.* per annum during life ; and that Cadet Jones ought to be allowed the sum of 20*l.* for his present relief, and the further sum of 10*l.* per annum during life.

*Resolved, that it is the opinion of this committee,* That William Bristow, a soldier in the continental service, ought to be allowed the sum of 20*l.* for his present relief, and that the sum ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved, that it is the opinion of this committee,* That Thomas Fimmel, ought to be allowed for his trouble and expense in nursing and maintaining Reuben Fimmel, a sick soldier in the continental service, at the rate of 10*d.* per day, for 210 days, amounting to the sum of *£*1. 15*s.*; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

The 1st, 2d and 4th resolutions of the committee, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 3d resolution of the committee being read a second time, the amendment following was proposed to be made thereunto; to leave out "fifteen," and insert "twenty" instead thereof; and the question being put, that the word "fifteen" stand part of the resolution,

It passed in the negative.

And the question being put, that the word "twenty," be inserted instead thereof,

It was resolved in the affirmative.

*Resolved,* That this House doth agree with the committee, in the said resolution so amended; that the petition of William Bristow, a soldier in the continental service, ought to be allowed the sum of 20*l.* for his present relief, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Ordered,* That Mr. Richard Lee, do carry the resolutions to the Senate, and desire their concurrence.

A petition of John Revely was presented to the House, and read; setting forth, that he was employed by the committee of Safety, to find clay of the sturbridge quality in the neighborhood of the coal pits on James river, proper for fire bricks, and to make draughts for erecting a foundry with four double stacks and eight air furnaces, for the purpose of casting cannon and for a boring mill; that as the business of the air furnace was little known in this State, he agreed to leave his wages undetermined until the fire bricks were proved, and the furnaces at work; and that he hath now complied with his undertaking; and praying the consideration of the House, whether he is to continue any longer in the service of the public, and on what terms.

*Ordered,* That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved,* That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider of the state of the army.

*Ordered,* That Mr. Montague, have leave to be absent from the service of this House until Friday next; Mr. Smith of Essex, and Mr. Parsons, until Monday se'nnight next; and Mr. James Speed, until Monday fortnight next.

A petition of the officers of the regiments of infantry and artillery of this State, whose names are thereunto presented, was presented to the House, and read; setting forth, that they are very desirous to complete the said regiments, but are apprehensive the difference between the bounty allowed to such as may be inclined to enlist into the said regiments and the bounty allowed to recruits raised for the continental army, may greatly retard it; and that they are not allowed forage for their horses, which they conceive to be necessary, as their duty requires them to be frequently on horseback; and praying that the troops in this State may be put upon the same footing, as the continental troops, and that the officers thereof may be allowed forage for their horses.

*Ordered,* That the said petition be referred to the committee of the whole House upon the state of the army.

Mr. Nicholas reported, from the committee of Propositions and Grievances, to whom the petition of John Ballendine was referred, that the committee had examined the matter of the said petition, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved, that it is the opinion of this committee,* That the petition of the said John Ballendine, praying that the powers and interest vested in certain subscribers and directors in, and by, an act of Assembly, entitled "an act for opening the falls of James River by subscription, and for other purposes," may be transferred to the petitioner, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of the said John Ballendine, praying that the tolls fixed upon tobacco, flour, grain and salt, in and by the said act of Assembly, may be increased to three pence for every hundred weight, is reasonable.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That the committee of Propositions and Grievances, do prepare and bring in a bill or bills, pursuant to the said resolutions.

The Speaker laid before the House, a letter from the commissioners of the navy, inclosing an estimate of the probable expense of the navy for the current year.

And the said letter was read.

*Ordered,* That the said letter and estimate, be referred to the committee of the whole House, on the motion "that a supply be provided for the public exigencies."

A petition of Frances Row was presented to the House, and read; setting forth, that her husband, Benjamin Row, enlisted as a soldier in Capt. Nelson's company of regulars, and marched with the said company to the northward, where he soon afterwards died, leaving the petitioner with five small children in very distressed circumstances, and praying relief.



*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Anne Burwell was presented to the House, and read; setting forth, that in the month of December, 1776, she hired a negro man slave to Col. Finnie, who acted as quartermaster for the public; that the said slave in the Summer following was sent to Gloucester with a wagon, containing ammunition for the use of a detachment of the army, sent thither to oppose the landing of the enemy, and in attempting to cross York river was unfortunately drowned; and praying such allowance for the said slave, as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Henry presented to the House, according to order, a bill "to prohibit the importation of slaves," and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A petition of sundry inspectors of tobacco, whose names are thereunto subscribed, was presented to the House, and read; praying that some certain provision may be made for them by fixed salaries, according to the value of their services.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill "to prohibit the importation of slaves," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the said bill.

A petition of sundry freeholders of the county of Sussex, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they hold their lands under leases from the President and Masters of the College of William and Mary, the terms of which have lately become burthensome and oppressive to the petitioners; the agent of the said President and Masters having, in consequence of a covenant in the said leases, demanded an exorbitant price for the tobacco rent thereby reserved, which is to be paid in nett sweet scented tobacco, to be delivered at Cabin Point, or a certain sum of sterling money in lieu thereof, at the option of the said President and Masters; and praying that they may be permitted to discharge their said rents in future in such tobacco as passes in payment of the public dues in the said county of Sussex, or in the current money of this Commonwealth, at such stated prices as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The several orders of the day being read,

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies."

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."

And then the House adjourned till Monday morning, 10 o'clock.

#### MONDAY, November 24, 1777.

*Ordered*, That Mr. Todd of King and Queen, and Mr. Woodson have leave to be absent from the service of this House until Monday next, Mr. Eskridge until Thursday se'nnight next, and Mr. Lynch for the remainder of the session.

The House being informed, that Mr. John Cabell, one of the members for the county of Buckingham, attended in custody of the serjeant at arms; and it appearing that there was good cause to excuse his absence, when the House was called over on 22d day of October last;

*Ordered*, That the said John Cabell be discharged out of custody, without paying fees.

A petition of Anne Matthews was presented to the House, and read; setting forth, that her husband having enlisted as a soldier in Capt. Dickenson's company, marched with him to New York, and there died in the month of March last, leaving the petitioner, with four small children, destitute of every necessary of life; and praying relief.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Anne Hays was presented to the House, and read; setting forth, that her husband enlisted with Capt. Anthony Singleton, of the train of artillery, and died some time ago, leaving the petitioner, with six small children, the eldest not more than ten years old, quite destitute of the necessaries of life, and praying relief.



*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Ellinah Milby, was presented to the House, and read; setting forth, that her husband, James Milby, sometime ago enlisted into Colonel Harrison's regiment of artillery, and is lately dead; leaving the petitioner, with a young child about a year old, in the greatest distress for want of the necessaries of life; and praying relief,

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill, "to empower the trustees and feoffees of the town of Fredericksburg, to assess the expense of keeping the streets of the said town in repair, on the inhabitants thereof;" and that Messrs. Winslow and Thornton do prepare and bring in the same.

A petition of Ralph Stewart was presented to the House, and read; setting forth, that in the year 1774, he had a servant man who ran away from him, and went out with a company of militia on the Shawanese expedition, who was unfortunately slain in the action at Point Pleasant, by which he is deprived of a great part of the support of a poor and numerous family; and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Fluvanna, was presented to the House, and read; setting forth, that a part of the members of the court of the said county have fixed on a part of the lands of Wilson Miles Cary, Esq. for building the courthouse and other necessary public buildings, and which place they think very inconvenient to a majority of the inhabitants of the said county; and praying an act may pass to enable the court to fix on a place more convenient.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Several petitions of sundry other inhabitants of the county of Fluvanna was presented to the House, and read; setting forth, that upon the establishment of their county, it became necessary to fix on the most convenient and central spot of land, for the courthouse; that, in order to find out the same, the court directed the surveyor to ascertain the centre; but finding the expense of doing it, would greatly exceed what was at first expected, they afterwards appointed five of their own body, who after the best inquiry they could make, reported their opinion in favour of a place in the land of Wilson Miles Cary, Esq. which was afterwards agreed to by a court when ten members were present, and that they conceive the place appointed to be convenient to a majority of the inhabitants; and praying the place for holding courts for the said county may not be changed.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for granting 2,500*l.* to the commissioners appointed to erect a blast furnace in the county of Buckingham. And then he withdrew.

A memorial and petition of Edmund Wilcox, was presented to the House, and read; setting forth, that he was called upon as a physician to attend several soldiers enlisted in the county of Amherst, for the continental army, and in the minute service of this State; that he hath received satisfaction for his services in attending the soldiers in the minute service, but that there remains the sum of 24*l.* 14*s.* 10*d.* due to him for attending Geo. Wit, Thomas Shelden, Thomas Smith and John Gutrey, soldiers in the continental service; and praying to be paid the said sum of money.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day being read, for the House to resolve itself into a committee of the whole House, on the motion, "that a supply be provided for the public exigencies,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported, from the committee, that they had made a further progress in the matters to them referred, and that they had directed him to move, that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the said motion.

*Ordered*, That the memorial of Richard Henderson and Company, together with the several petitions relating to the subject matter thereof, which, on Wednesday next, were ordered to stand revived, do come on to be heard on the third Monday in June next.

The Speaker laid before the House a letter from the Governor, enclosing two letters from General Washington, together with a return of the Virginia regiments of this State in the continental service;

And the said letters were read.

*Ordered*, That the said letters and return be referred to the committee of the whole House, on the state of the army.

The other order of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

The House being informed that there are many balances due to the public from sheriffs, inspectors, county court clerks, and others, and it being necessary that the same should be collected:

*Resolved, therefore*, That all persons indebted to the public treasury, do pay their respective balances before the first day of March next, and that the treasurer be directed to pursue all legal methods against those who fail to make payment by that time, to obtain the same in the most expeditious manner; and that the General Assembly will make good any necessary expense which may be incurred thereby.

*Ordered*, That Mr. Webb do carry the resolution to the Senate, and desire their concurrence.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, November 25, 1777.

The House being informed that Mr. Peter Perkins, one of the members for the county of Pittsylvania, and Mr. Dandridge Claiborne, one of the members for the county of King William, attended in custody of the serjeant at arms;

*Ordered*, That the said Peter Perkins, and Dandridge Claiborne, be discharged out of custody, paying fees.

A petition of Thomas Chiles was presented to the House, and read; setting forth, that having, last summer, entered as a volunteer in a troop of horse, which marched from the county of Caroline to Williamsburg, and found his own horse, appraised to thirty-five pounds, he was, among others, appointed to attend and guard John Goodrich, the elder, to the county of Botetourt; in the course of which journey his horse was taken sick, so that he was obliged to leave him at New London, in the county of Bedford, where he remained upon expenses till the 12th of October before he could be removed, at which time he got his horse home, and he was then appraised to twelve pounds; and praying that he may be paid the sum of twenty-three pounds, the damage his horse has sustained in the public service, and his expenses in maintaining and getting him home, amounting to nine pounds thirteen shillings and ten pence;

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition from John Tayloe Griffin, and Mary his wife, was presented to the House, and read; setting forth, that Philip Lightfoot, Esq. deceased, was seized in fee of 3,700 acres of land in the county of Brunswick, and by his last will and testament devised the same, together with sixty slaves, to his son John Lightfoot, and the heirs of his body; and in default thereof, to his son Armistead Lightfoot, and the heirs of his body; that after the death of the said Philip, the said John his son, died seized of the said lands, without issue; and that the said Armistead is also dead, leaving issue the petitioner Mary, his only child and heir; and that the said slaves have been taken in execution and sold for payment of the debts of the said Armistead Lightfoot; that the petitioners are seized of two tracts of land in the county of Goochland, in right of the petitioner Mary, called Dover and Beaver Dam; and that it will be greatly to the advantage of the petitioners to have 2,000 acres of the said tract of land in Brunswick, sold; and the money arising therefrom, laid out in the purchase of slaves; and praying that an act may pass for that purpose, the said Mary being an infant, and unable to join in a conveyance.

*Ordered*, That leave be given to bring in a bill pursuant to the prayer of the said petition; and that Messrs. General Nelson, Woodson, and Tazewell, do prepare and bring in the same.

A petition of sundry inhabitants of the county of Kentucky, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they have been, for some time, almost destitute of the necessary article of salt, in consequence of the invasion of the Indians; and that the salt springs in the said county, which might, at a small expense, furnish sufficient quantities of salt for the inhabitants, are claimed by persons who have never been at any expense to erect proper works for making salt; and praying, that in case the proprietors of the said springs do not immediately erect proper salt works, the said springs may be made public property, and a manufactory of salt carried on by the public.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Nicholas reported, from the committee of Propositions and Grievances, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That all that part of the county of Westmoreland, which lies above a line to be run from the head of Bristol mine run to Washington's mill, on Rosier's creek, ought to be added to the county of King George.

*Resolved*, that it is the opinion of this committee, That all that part of the county of King George which lies below the said line, ought to be added to the county of Westmoreland.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of King George, in opposition thereto, be rejected.



The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That a bill or bills be brought in, pursuant to the first and second resolutions of the committee; and that the committee of Propositions and Grievances, do prepare and bring in the same.

It having been represented to the General Assembly, by the oath of Col. Henderson, that he conceives the deposition of Col. Arthur Campbell to be material in the dispute between Henderson and Company and this Commonwealth, and that the said Campbell hath refused giving testimony before commissioners appointed to take the same in the county of Washington;

*Resolved*, That the said Campbell be summoned to attend this House on the third Monday in June next, to give evidence touching the said claim, unless his deposition should before that period be properly taken.

Mr. Nicholas reported, from the committee of Propositions and Grievances, to whom the petition of divers inhabitants of the county of Botetourt was recommitted, that the committee had reconsidered the matter of the said petition, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as follows, viz:

*Resolved*, that it is the opinion of this committee, That so much of the said petition, as prays that the said county of Botetourt may be divided, is reasonable.

*Resolved*, that it is the opinion of this committee, That the said county of Botetourt, ought to be divided by the ridge of mountains which separates the eastern and western waters.

*Resolved*, that it is the opinion of this committee, That so much of the said petition, as prays that the boundary may extend to the head of Greenbrier river, in the county of Augusta, be rejected.

*Ordered*, That a bill or bills be brought in, pursuant to the first and second resolutions of the committee, and that the committee of Propositions and Grievances, do prepare and bring in the same.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the state of the army;

The House resolved itself into the said committee.

Mr. Speaker left the chair,

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported from the committee, that the committee had come to several resolutions, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the House be moved to order an inquiry whether any, and what persons, have been instrumental in forestalling the public in the purchase of provisions and other necessities for the army.

*Resolved*, that it is the opinion of this committee, That the Governor and Council be empowered to appoint commissioners, in any part of this Commonwealth, to seize for the use of the army, all proper woollens, linens, shoes and stockings, which shall be found in the possession of any person having purchased the same in any part of the United States of America, for sale; to have such goods valued by sworn appraisers, and to draw upon the treasurer for the amount of the value; and that such part thereof, as shall be applied to the use of the troops, in continental service, be charged to the United American States.

*Resolved*, that it is the opinion of this committee, That the Governor be desired to recommend it to the lieutenant, or commanding officer of each county, within this Commonwealth, to request of the inhabitants of his county, one pair of shoes, stockings, gloves, or mittens, for each soldier raised by the county, and now serving in the continental army; for the payment of which he shall draw upon the public treasurer, who is hereby empowered to answer the said draught.

*Resolved*, that it is the opinion of this committee, That the Governor and Council be desired to give proper directions to the deputy-quartermaster-general, to have the articles for the army, when procured, conveyed with the greatest expedition to General Washington.

The first resolution of the committee being read a second time, was, upon the question put thereupon, agreed to by the House,

And Mr. Carter moving the House accordingly,

*Ordered*, That a committee be appointed to inquire whether any, and what persons, have been instrumental in forestalling the public in the purchase of provisions and other necessities for the use of the army.

And a committee was appointed, of Messrs. Carter, George Mason, Bullitt, Zane, Jefferson, Henry and General Nelson; and they are to meet and adjourn, from day to day, or for any number of days, during the present session; and to report their proceedings to the House; and the said committee are to have power to send for persons and papers, for their information.

The second resolution of the committee being read a second time, was, upon the question being put thereupon, agreed to by the House.

*Ordered*, That a bill or bills be brought in pursuant to the said resolution; and that Messrs. Carter, George Mason, Bullitt, Zane, Henry, General Nelson, Nicholas, and Pendleton, do prepare and bring in the same.



The subsequent resolutions of the committee being read a second time, were, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Carter do carry the third resolution to the Senate, and desire their concurrence.

Mr. Carter also acquainted the House, that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider farther of the state of the army.

*Ordered*, That Mr. Smith of Frederick, have leave to be absent from the service of this House until Friday se'nnight next, Mr. Thornton until the 10th of December next, and Mr. Alexander for the remainder of the session.

The other order of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies."

And then the House adjourned till to-morrow morning, 10 o'clock.

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### WEDNESDAY, November 26, 1777.

Mr. Carter laid before the House a state of the Gun Manufactory in the town of Fredricksburg.

*Ordered*, That a committee be appointed to examine the said state, and that they report the same, as it shall appear to them, together with their opinion thereupon, to the House.

And a committee was appointed, of Messrs. Carter, Zane, Adams, Abraham Hite, Jett and King.

Mr. Nicholas reported, from the committee of Propositions and Grievances, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth:

*Resolved*, That it is the opinion of this committee, That the petition of divers inhabitants of the counties of Augusta and Botetourt, praying that a new county may be formed by a line to begin at the top of the Blue Ridge, opposite to Steel's Mill in the county of Augusta, thence north 55 degrees west, crossing the north mountain to the main ridge dividing the Cow and Calf Pasture, thence along the ridge to the old line of the county of Botetourt, thence north 55 degrees west, to the ridge dividing the eastern and western waters; and also by another line to begin on the top of the Blue Ridge, opposite to Rannix's plantation in the county of Botetourt and in the fork of James River, thence north 55 degrees west, to the ridge dividing the eastern and western waters, is reasonable.

*Resolved*, That it is the opinion of this committee, that the petition of divers inhabitants of the county of Botetourt in opposition thereto, be rejected.

The first resolution of the committee being read a second time, the amendment following was proposed to be made thereunto: leave out the words "is reasonable," and insert "be referred to the consideration of the next session of Assembly" instead thereof; and the question being put, that the words "is reasonable" stand part of the resolution,

It passed in the negative.

And the question being put, that the words "be referred to the consideration of the next session of Assembly" be inserted instead thereof,

It was resolved in the affirmative.

*Resolved*, That this House doth agree with the committee in the said resolution, so amended: that the petition of divers inhabitants of the counties of Augusta and Botetourt, praying that a new county may be formed by a line to begin at the top of the Blue Ridge, opposite to Steel's Mill in the county of Augusta, thence north 55 degrees west, crossing the north mountain to the main ridge dividing the Cow and Calf Pasture, thence along the ridge to the old line of the county of Botetourt, thence north 55 degrees west, to the ridge dividing the eastern and western waters; and also by another line to begin on the top of the Blue Ridge, opposite to Rannix's plantation in the county of Botetourt and in the fork of James River, thence north 55 degrees west, to the ridge dividing the eastern and western waters, be referred to the consideration of the next session of Assembly.

The other resolution of the committee being read a second time; and the question being put, that the House do agree with the committee in the said resolution,

It passed in the negative.

*Ordered*, That Messrs. Robinson, and Smith of Essex, be added to the committee appointed to examine the treasurer's accounts.

Mr. Carter presented to the House, according to order, a bill "for speedily clothing the troops raised by this Commonwealth, now in continental service," and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House for instituting an Academy for the advancement of Military Architecture and Gunnery, for employing Capt. Loyeauté's, and for defraying his expenses to this State. And also,

The Senate have agreed to the resolution of this House, directing the treasurer to recover the arrears due to the public treasury. And then he withdrew.

A bill "for speedily clothing the troops raised by this Commonwealth, now in the continental service," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will now resolve itself into a committee of the whole House, to consider of the said bill. The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported from the committee, that they had gone through the bill and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and, upon the question severally put thereupon, were agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the state of the army,

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported from the committee, that they had come to a resolution, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolution of the committee was read, and is as followeth, viz:

*Resolved*, that it is the opinion of this committee, That a body of men, not exceeding five thousand, who shall enter voluntarily into the service, to continue six months from the time they are rendezvoused, unless sooner discharged, be raised with all expedition, properly armed, and marched to join the army under the command of his excellency General Washington; and that they be subject to the same rules and regulations, draw the same pay and rations, as the continental troops, and receive upon enlistment, a bounty of ten dollars.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

Mr. Carter also acquainted the House, that he was directed by the committee to move, that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the state of the army.

An engrossed bill, "for speedily clothing the troops raised by this Commonwealth, now in continental service," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for speedily clothing the troops raised by this Commonwealth, now in continental service."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

The other orders of the day being read,

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill "to prohibit the importation of slaves."

And then the House adjourned till to-morrow morning, 10 o'clock.

THURSDAY, November 27, 1777.

*Ordered*, That the Governor be desired to direct the commanding officer of the troops of this Commonwealth, stationed in and near the city of Williamsburg, to review them at that place, on Saturday next.

*Ordered*, That Mr. Carter do wait upon the Governor, with the order.

*Ordered*, That Mr. Curle have leave to be absent from the service of this House until Monday next; and Mr. Gee, until Tuesday se'nnight next.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the state of the army,

The House resolved itself into the said committee.

Mr. Speaker left the chair,

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported from the committee, that they had come to several other resolutions, which the committee had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved, that it is the opinion of this committee,* That the Governor be desired to issue orders to the quarter-master-general, to provide one thousand tents, one thousand camp-kettles, five thousand knapsacks and five thousand haversacks.

*Resolved, that it is the opinion of this committee,* That the general and field officers, shall be appointed by joint ballot of both Houses of General Assembly; and that each company of volunteers after it be raised, shall choose its own officers.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That Mr. Carter do wait upon the Governor with the first resolution of the committee.

*Ordered,* That a bill or bills be brought in, pursuant to the second resolution of the committee, and to the third resolution of the said committee reported yesterday, and agreed to by the House; and that Messrs. Carter, Pendleton, George Mason, Nicholas, Jefferson, General Nelson, Hugh Nelson, Henry, Zane, Bowyer and Alexander do prepare and bring in the same.

Mr. Carter also acquainted the House, that he was directed by the committee to move, that they may have leave to sit again.

*Resolved,* That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the state of the army.

*Ordered,* That the Governor be desired to direct the commanding officers of any of the militia companies in the counties of Botetourt and Augusta, who may have returned from the late western expedition, to retain and take care of all tents, camp-kettles, or other necessities, for marching troops, not being private property, until further orders; and that he be also desired to write to General Hand, and request him to permit such of them as belong to the United States, to be delivered to the volunteers now raising in this Commonwealth, to reinforce the continental army.

*Ordered,* That Mr. Carter do wait upon the Governor with the said order.

A message from the Senate, by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, recommending it to the inhabitants of the several counties, to furnish shoes, stockings and mittens for the soldiers raised therein, and now serving in the continental army, with amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

And the said amendments were read, and are as followeth, viz:

Line the 8th, after the word "treasurer," insert "payable one month after date."

To the end of the resolution add "and that the said lieutenant or commanding officer, shall, by some safe conveyance, and in due time, transmit to the treasurer, a list of the sums for which they shall have drawn orders, together with the names of the persons in whose favor they were drawn, for his more certain information."

The said amendments, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That Mr. Carter do carry the resolution to the Senate, and acquaint them that this House doth agree to the amendments made by them to the said resolution.

A petition of Anne Adams was presented to the House, and read; setting forth, that being the widow of an officer in the British service, she has for many years past received an annual allowance of twenty pounds sterling, until the war between Great Britain and America put an end to all communication between the two countries; that, being thereby deprived of her said annuity, she is reduced to want; and praying such relief, as shall be thought just and reasonable.

*Ordered,* That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Augusta, on the south and north forks of the South Branch, and on the South Branch of Potomac, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they suffer great hardships and inconveniences from the distance they have to travel to their courthouse at Staunton; and praying they may be added to the county of Hampshire, to the courthouse of which they are much more convenient, by a line to be run from the mouth of Sweedley creek on the South Fork to Woolrich Conrod's on the South Branch, and from thence to the mouth of Dry Run above John Beunet's, on the North Fork.

*Ordered,* That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Yohogania, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the unexpected change of their militia officers by the Governor and Council, contrary to the recommendation of their county court, hath produced great disturbances amongst them; that



they suffer many inconveniences for want of proper authority to determine the disputes concerning the titles of their lands ; and that persons of tender consciences have scrupled to publish certain laws on Sundays, after divine service, as directed by those laws under severe penalties, as it interferes with their modes of worship ; and praying, that militia officers recommended by their court may be appointed ; a proper jurisdiction for determining disputes concerning their lands established ; and the penalties aforesaid repealed.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances ; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Carrington :

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act for speedily clothing the troops raised by this Commonwealth, now in continental service,” with several amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

And the said amendments were read, and are as followeth, viz :

Line the 16th ; after the word “concealed,” insert “and where the said justice and commissioners shall meet with resistance in accomplishing this discovery, the said justice is hereby directed to call upon the sheriff, or any constable, for such aid of the county as shall be sufficient to enforce obedience to this act.”

Line 20th ; leave out the words “their present value,” and insert “a reasonable price.”

Page 2d, line 12th ; to the end of the clause, add “and in all such suits the *onus probandi* shall lie upon the plaintiff.”

The first amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

The second amendment being read a second time, the amendment following was proposed to be made thereunto :

After the word “price,” insert “having regard to the circumstances of the times.”

And the same was, upon the question put thereupon, agreed to by the House.

The last amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Mason do carry the bill to the Senate, and acquaint them that this House doth agree to the amendments made by them to the said bill, with an amendment to the second amendment, to which amendment to the amendment this House doth desire the concurrence of the Senate.

The other order of the day being read ;

*Resolved*, That this House will, on Saturday next, resolve itself into a committee of the whole House, to consider further of the motion “that a supply be provided for the public exigencies.”

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, November 28, 1777.

A petition of Richard Stephens, jun. was presented to the House, and read ; setting forth, that he apprehended Joseph Hadley, a horse stealer, who was examined before the court of the county of Loudoun ; that one Charles Morehead was a witness upon the said examination, and fully proved the guilt of the said Joseph Hadley, but that, before the last court of Oyer and Terminer, when he was tried and convicted, the said Morehead was draughted as one of the Loudoun militia, and had marched to head quarters ; by which means the petitioner was the only witness against the said Hadley ; and that the judges of the said court refused to grant him a certificate for the reward allowed those who should apprehend horse stealers ; and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims ; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Henry presented to the House, according to order, a bill “to amend an act, entitled ‘an act for preventing excessive and deceitful gaming,’ and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

A message from the Senate by Mr. Bland :

MR. SPEAKER,—The Senate have agreed to the amendment made to their 2d amendment to the bill, entitled “an act for the more speedily clothing the troops raised by this Commonwealth, now in continental service.” And then he withdrew.

A claim of Alexander Purdie, printer to the Commonwealth, for his extraordinary services, was presented to the House, and read.

*Ordered*, That the said claim be referred to the committee of Public Claims ; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the parish of Christ Church, in the county of Lancaster, praying a dissolution of the vestry of the said parish ; and also a petition of sundry other inhabitants of the said parish in opposition thereto, were severally presented to the House, and read.

*Ordered*, That the said several petitions be referred to the committee for Religion ; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Pittsylvania, whose names are thereunto subscribed, was presented to the House and read ; setting forth, that the justices of the said county, having met for the purpose of ap-

pointing a place for holding courts, did direct the surveyor of the said county to find out the centre thereof, which appeared to be on the land of Francis Moore Petty; notwithstanding which, the said justices, disregarding the convenience of the people of the said county, did fix upon the land of one Jeremiah Worsham, upwards of two miles from the centre, and on a different side of a considerable water course; and praying their said courthouse may be fixed at or near the centre of the said county.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That a committee be appointed to examine the enrolled bills.

And a committee was appointed, of Messrs. Kello, Prentiss, Tazewell, Randolph and Alexander.

*Ordered*, That Mr. Harrison of Charles City, have leave to be absent from the service of this House, until Monday; and Mr. Zane, until Tuesday next.

*Ordered*, That Messrs. Henry Deloney, Francis Ruffin, Samuel Goode, Benjamin Logan, John Bowman, Micajah Watkins, James Turner and James Coleman, be added to the commissioners appointed to take depositions relating to the claim of Richard Henderson and Company, depending before this House.

A petition of Christopher Cantrell, John Scott and Joseph Scott, was presented to the House, and read; setting forth, that they have, with considerable toil and labor, explored the mountains and head waters of Potomac river in the counties of Hampshire and Augusta, to find earth impregnated with salt petre; and that they had discovered some highly impregnated therewith; that a certain Andrew Tamboro, observing the petitioners at work in the mountains, in waste and ungranted lands, immediately hurried to the house of the surveyor of Augusta, and, under pretence of a certificate from his wife, claimed the said land, and carried off a considerable quantity of impregnated earth, and forewarned the petitioners from meddling therewith, to the great injury of the petitioners, and discouragement of other adventurers; and praying that the property of all ungranted lands, found to be impregnated with nitre, may be granted to those who shall first discover the same.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Henry Camnock was presented to the House, and read; setting forth, that he cheerfully entered as a soldier into the service of this State, and still continues therein; that, when on duty some short time past, his gun accidentally fired and discharged the load through his right hand, by which he is rendered not only unfit for the service, but unable to get a livelihood by labor, and praying relief.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill, to amend "an act entitled 'an act for regulating and disciplining the militia,'" and that Messrs. Nelson, Jefferson, Zane, George Mason, Nicholas, Harrison of Charles City, Browne, Harrison of Prince George, and Henry, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, to amend "an act entitled 'an act for providing against invasions and insurrections,'" and that Messrs. Nelson, Jefferson, Zane, George Mason, Nicholas, Harrison of Charles City, Browne, Harrison of Prince George, and Henry, do prepare and bring in the same.

Mr. Mason presented to the House, according to order, a bill "for raising a number of volunteers, for the speedy reinforcement of the army under the command of his excellency General Washington," and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

An engrossed bill "for altering the court day of the county of Washington," was read the third time.

*Resolved*, That the bill do pass; and that the title be "an act for altering the court day of the county of Washington."

*Ordered*, That Mr. Bledsoe do carry the bill to the Senate, and desire their concurrence.

A bill "for raising a number of volunteers, for the speedy reinforcement of the army under the command of his excellency General Washington," was read the second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the said bill.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the state of the army;

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported from the committee, that they had made a farther progress in the matters to them referred; and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the state of the army.

Mr. Kello reported, from the committee appointed to examine the enrolled bills, that the committee had exam-

ined the bill, entitled "an act for the more speedily clothing the troops raised by this Commonwealth, now in continental service," and had rectified such mistakes as were found therein; and that the same is truly enrolled.

*Ordered*, That Mr. Kello do carry the said bill to the Senate, for their inspection.

The Speaker laid before the House a letter from the Governor, enclosing several resolutions of the General Congress.

And the said letter and resolutions were read.

*Ordered*, That the said letter and resolutions, be referred to the committee of the whole House on the state of the army.

Gen. Nelson laid before the House, a return of the State infantry, under the command of Col. Morgan.

*Ordered*, That the said return be referred to the committee of the whole House, on the state of the army.

The other order of the day being read,

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, on the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

And then the House adjourned till to-morrow morning, 10 o'clock.

### SATURDAY, November 29, 1777.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have inspected the bill, entitled "an act for speedily clothing the troops raised in this Commonwealth, now in continental service," and are satisfied the same is truly enrolled; and it is signed by the Speaker of the Senate. And then he withdrew.

The Speaker of this House then signed the bill, entitled "an act for speedily clothing the troops raised in this Commonwealth, now in continental service."

Mr. Jefferson presented to the House, according to order, a bill "to prevent forestalling, engrossing, and regrating," and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

A bill to amend an act, entitled "an act to prevent excessive and deceitful gaming," was read a second time.

*Resolved*, That the bill be committed to the committee of Propositions and Grievances.

A bill to prevent "forestalling, engrossing, and regrating," was read a second time.

*Resolved*, That the bill be committed,

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the said bill.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying to Henry Munday Marrs, 6*l.* 1*s.* 3*d.*; to Robert Campbell 10*l.*, for his present relief, and the further sum of 10*l.* per annum during life; to Margaret Gambell 30*l.*; and Thomas Finnel 8*l.* 15*s.* without any amendments. And also,

The Senate have agreed to the resolutions of this House, for paying to Richard Epperson 10*l.* for his present relief, and 5*l.* per annum during life; to Catlet Jones 20*l.* for his present relief, and 10*l.* per annum during life; and to William Bristow 20*l.* for his present relief; with several amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

A petition of James Devore was presented to the House, and read; setting forth, that being empowered by the county court of Augusta, to keep a ferry from his landing on the eastern side of the Monongahela river, across the same to Pigeon creek on the western side thereof, he hath provided boats and other necessities for keeping the said ferry; and therefore praying that an act may pass to establish the said ferry.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the town of Zenesburg, was presented to the House, and read; setting forth, that they have been obliged to abandon their houses and effects to the savages, and to shelter themselves in Fort Henry, and that having thus lost their all, they pray such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Carmack, Ezekiel Smith, John Looney and Jonathan Drake, was presented to the House, and read; setting forth, that on the return of the troops from the Cherokee expedition, Capt. Thomas Maddidon, commissary on that expedition, agreed with the petitioners at certain wages to employ proper persons to collect all the lost stocks of cattle and horses, and to take care thereof, as well as those returned from the expedition; which they accordingly did, and have their accounts properly certified by the said commissary; but, that the auditors of public accounts, for reasons unknown to the petitioners, have refused to pass the same; and praying such relief as shall be thought just and reasonable.



*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Carter reported, from the committee appointed to inquire into, and report the state, progress, and expense of the Gun Manufactory in the town of Fredericksburg, that the committee had inquired accordingly; and had directed him to report the same, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

It appears to your committee, that since the last settlement, including the balance due thereon of 1,015*l.* 9*s.* 5 3-4*d.* in favor of Fielding Lewis, Esq. one of the said commissioners, there has been disbursed on account of the factory, the aggregate sum of 6,281*l.* 5*s.* 11 1-4*d.*, of which the public have advanced the sum of 3,384*l.* 12*s.* 7*d.*, and remain indebted to the said Fielding Lewis, Esq. the sum of 2,896*l.* 13*s.* 4 1-4*d.*

It also appears to your committee, that out of the said aggregate sum of 6,281*l.* 5*s.* 11 1-4*d.*, the sum of 2,620*l.* 3*s.* 7 1-2*d.* hath been disbursed by Charles Dick, Esq. the other commissioner, for workmen's wages and other services; and a balance remains due from him in favor of the public, of 3*l.* 5*s.*

*And it further appears to your committee*, That since the last settlement, including the materials on hand, the said factory is in credit for the sum of 8,660*l.* 14*s.* 5 3-4*d.*, from which, the disbursements on account thereof being deducted, a balance of profit for the said factory is left in favor of the public of 2,350*l.* 17*s.* 2 1-2*d.*

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the accounts and disbursements are fairly and justly stated; and that the above balance of 2,896*l.* 13*s.* 4 1-4*d.* is due thereon to Fielding Lewis, Esq.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Carter do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That a committee be appointed to inquire by what means the manufactory of fire arms may be advanced; and to report the matter, as it shall appear to them, together with their opinion thereupon, to the House.

And a committee was appointed, of Messrs. Carter, Zane, Adams, Abraham Hite, Jett, King and Edmondson.

The orders of the day being read;

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the state of the army.

And then the House adjourned till Monday morning, 10 o'clock.

## MONDAY, December 1, 1777.

A petition of Margaret Rawlins, was presented to the House, and read; setting forth, that Capt. Thornton, of the 3d Virginia regiment, when on his march to New-York, in the year 1776, left in her care Absalom Wasper, a soldier belonging to his company, then ill of the flux, whom she nursed and provided with necessaries for sixteen days; and, that she hath received no satisfaction for the same; and therefore praying such compensation as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Porter have leave to be absent from the service of this House, until the 17th day of this month.

A message from the Senate by Mr. Fleming:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for altering the court day of the county of Washington." And then he withdrew.

A petition of James Bennitt, was presented to the House, and read; setting forth, that he was a soldier enlisted by Lieutenant Charles Collier, at the time of whose resignation it was found that he had received the pay of the petitioner to the amount of 5*l.* 2*s.*, which was lodged in the hands of Mr. Jacob Bruce, who refuses to pay the same to the petitioner, alleging that he has received no orders for that purpose from the said Collier; and therefore praying such relief, as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Hugh M. Gary was presented to the House, and read; setting forth, that in the months of March and April last, the northern Indians invaded the county of Kentucky, killed many of the inhabitants, destroyed part of their stock, and took off upwards of two hundred horses; that news arriving, that an expedition was ordered against the towns of those Indians from Pittsburg, the commanding officer of Kentucky sent the petitioner thither as an express, with a list of horses lost, with their descriptive marks, in order that they might be recovered to the owners; and that he faithfully performed the said service; but has received no satisfaction for the same; and therefore praying such allowance for his services, as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the inspectors of tobacco, at Crutchfield's, Page's, and Meriwether's warehouses, in the county of Hanover, was presented to the House, and read; setting forth, that the salaries allowed the petitioners by an act of Assembly, passed in the year 1776, are by no means adequate to their services, or sufficient to support themselves and families; and therefore praying that they may be allowed greater and more certain salaries.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Winslow presented to the House, according to order, a bill to "empower the trustees and feoffees of the town of Fredericksburg, to assess the expense of keeping the streets of the said town in repair on the inhabitants thereof;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

*Ordered*, That leave be given to bring in a bill, to "empower the vestry of Saint Paul's parish, in the county of Hanover, to sell the glebe of the said parish, and to lay out the money in the purchase of a more convenient glebe;" and that Messrs. Syme and Pendleton, do prepare and bring in the same.

Mr. Neaville reported, from the committee to whom the bill "for establishing a town in the county of Hampshire" was committed, that the committee had examined the allegations of the bill, and found the same to be true; and that the committee had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one, and upon the question severally put thereupon, were agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

Mr. Carter reported, from the committee appointed to inquire by what means the manufactory of fire arms may be advanced, that the committee had inquired accordingly, and had come to several resolutions, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the commissioners of the Fredericksburg Gun Manufactory, ought to be empowered to take in such a number of white apprentices properly educated as they may judge necessary; the said apprentices to receive good and sufficient clothing, bedding and provisions, at the public expense; and to be bound to the said commissioners on the part of this State, as they may think proper; and to receive, at the expiration of their respective times of servitude, a sum of money not exceeding 30*l.* each.

*Resolved*, that it is the opinion of this committee, That it will be advantageous to the public, and of great utility to the said factory, to purchase for the use of this Commonwealth such a number of young slaves, not exceeding ten, as they may judge necessary to be employed therein.

The first resolution of the committee being read a second time, was, on the question put thereupon, agreed to by the House.

The other resolution of the committee being read a second time, and the question being put, that the House doth agree with the committee in the said resolution,

It passed in the negative.

*Ordered*, That a bill, or bills, be brought in pursuant to the first resolution of the committee; and that Messrs. Carter, Zane, Adams, Abraham Hite, Jett and King, do prepare and bring in the same.

*Resolved*, That Fielding Lewis and Charles Dick, Esqrs. managers of the Gun Manufactory in the town of Fredericksburg, be allowed the sum of 365*l.* for directing and superintending the same to the 18th of November last.

*Ordered*, That Mr. Carter do carry the resolution to the Senate, and desire their concurrence.

Mr. Richard Lee reported, from the committee of Public Claims, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That Benjamin Bucktrout, ought to be allowed the sum of 30*l.* for his horse, which was killed by accident in the service of this State.

*Resolved*, that it is the opinion of this committee, That such part of the petition of Nathaniel Venable, as prays an additional allowance for the service of his wagons and teams, which were impressed in the year 1776, to convey the baggage, &c. of Capt. Morton's company of regulars to Suffolk, be rejected.

*Resolved*, that it is the opinion of this committee, That the said Nathaniel Venable, ought to be allowed an additional allowance of 5*s.* per day, for nineteen days service of his wagon and team, which were impressed in September last, to convey the baggage, &c. of Capt. Smith's company of militia to Williamsburg, amounting to the sum of 4*l.* 15*s.* 0*d.*

*Resolved*, that it is the opinion of this committee, That Ellinah Milby, widow of James Milby, who enlisted in Col. Harrison's regiment of artillery, and died in the continental service, ought to be allowed the sum of 20*l.* for the support of herself and child; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That Margaret Irvine, widow of Abraham Irvine, who enlisted

as a soldier under Capt. George Lambert, in the continental service, and died, ought to be allowed the sum of 35*l.* for the support of herself and children; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved, that it is the opinion of this committee,* That Gideon Moon, a soldier in the minute service, who unfortunately was wounded in the wrist by one of his fellow soldiers, and by that means rendered unable to support himself, ought to be allowed the sum of 10*l.* for his present relief, and the further sum of 5*l.* per annum for the term of three years.

*Resolved, that it is the opinion of this committee,* That Edward Lewis, a soldier in Capt. Broadnax's company of militia, who was wounded by means of his gun's bursting when on duty, ought to be allowed the sum of 20*l.* for his present relief, and the farther sum of 10*l.* per annum during life.

*Resolved, that it is the opinion of this committee,* That Robert Coleburn ought to be allowed 9*d.* per pound for 310 pounds of beef, furnished the militia of Accomack county in October last, amounting to the sum of 11*l.* 12*s.* 6*d.*

*Resolved, that it is the opinion of this committee,* That William Terrell ought to be allowed the sum of 40*l.* for his horse, which died in consequence of hard service in the transportation of arms from Suffolk to Portsmouth, in August last.

*Resolved, that it is the opinion of this committee,* That Edmund Wilcox ought to be allowed the sum of 24*l.* 14*s.* 10*d.* for attendance on, and furnishing medicines, for Thomas Akins, James Byrns, and John Guttery, sick soldiers of Capt. Franklin's company; George Witt and Thomas Shelden, of Capt. Fontain's company; and Thomas Smith of Capt. Cabell's company, of continental troops; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

The first, second, third, fourth, fifth, sixth and seventh resolutions of the committee being read a second time, were, upon the question severally put thereupon, agreed to by the House.

The eighth resolution of the committee being read a second time, an amendment was proposed to be made thereunto, by leaving out the words "nine pence per pound for 310 pounds of beef furnished the militia of Accomack county in October last, amounting to the sum of 11*l.* 12*s.* 6*d.*," and inserting "six pence per pound for 310 pounds of beef furnished the militia of Accomack county in October last, amounting to the sum of 7*l.* 15*s.*," instead thereof. And the question being put that the words "nine pence per pound for 310 pounds of beef furnished the militia of Accomack county in October last, amounting to 11*l.* 12*s.* 6*d.*," stand part of the resolution,

It passed it in the negative.

And the question being put that the words "six pence per pound for 310 pounds of beef furnished the militia of Accomack county in October last, amounting to the sum of 7*l.* 15*s.*," be inserted instead thereof,

It was resolved in the affirmative.

*Resolved,* That this House doth agree with the committee in the said resolution, so amended: "that Robert Coleburn ought to be allowed 6*d.* per pound for 310 pounds of beef furnished the militia of Accomack county in October last, amounting to the sum of 7*l.* 15*s.*."

The subsequent resolutions of the committee, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That Mr. Lee do carry the resolutions to the Senate, and desire their concurrence.

The orders of the day being read,

*Resolved,* That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the state of the army.

*Resolved,* That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies."

*Resolved,* That this House will, on Thursday next, resolve itself into a committee of the whole House, to consider of the bill "to prevent forestalling, regrating, and engrossing."

*Resolved,* That this House will, on Thursday next, resolve itself into a committee of the whole House, to consider of the bill "for raising a number of volunteers, for the speedy reinforcement of the army under the command of his excellency General Washington."

*Resolved,* That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."

*Resolved,* That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

The House proceeded to take into consideration, the amendments made by the Senate to the resolution of the House, for paying 15*l.* 15*s.* 6*d.* to Capt. Thomas Johnston; and the said amendments were read, and are as followeth: Line 8th; leave out "and," and insert "except the," instead thereof.

Line 8th; leave out "15*l.* 15*s.* 6*d.*," and insert "12*l.* 12*s.* 0*d.*," instead thereof. And it being observed, that the said resolution is in nature of a money bill, which the Senate hath no power to amend or alter;

*Ordered,* That the further consideration of the said amendments be postponed.

*Ordered,* That a conference be desired with the Senate, upon the subject matter of the said amendments, so far as the same relates to the power assumed by the Senate, to amend or alter a resolution of this House for the disposition of money.

*Ordered,* That Mr. Jefferson do go to the Senate and desire the conference.



*Ordered*, That a committee be desired to draw up what is proper to be offered to the Senate, at the said conference; and that they do report the same to the House.

And a committee was appointed, of Messrs. Jefferson, Cary, Pendleton, Bullitt and Meriwether.

And then the House adjourned till to-morrow morning, 10 o'clock.

TUESDAY, December 2, 1777.

A petition of Charles Casson, was presented to the House, and read; setting forth, that he supplied Doctor Samuel Harris, surgeon of the fourth regiment, with rum and wine for the use of the hospital at Portsmouth, where the said regiment was stationed, to the amount of twenty pounds, for which he hath received no satisfaction; and therefore praying to be allowed the said sum of money.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That this House will, on Tuesday next, proceed by joint ballot with the Senate, to the choice of a delegate to represent this State in General Congress, in the room of Joseph Jones, Esq., who hath desired permission to resign his seat therein, on account of his ill state of health.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

A petition of Lazarus Benton was presented to the House, and read; setting forth, that he had the misfortune last Spring to have four of his sons and a son-in-law, who were in the service of the country, killed by the Indians; that by this severe stroke he is left, far advanced in years, without any of his children to assist, support, or comfort him, except his widow daughter, who is also in low circumstances, and a little girl; and therefore praying such a support as will keep him from sinking under his poverty and afflictions.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Steward was presented to the House, and read; setting forth, that he was a soldier in the expedition against the Shawanese in the year 1774, and received a wound in his left shoulder, in consequence of which he continues disabled from getting a livelihood; that the commissioners appointed to settle the accounts of that expedition, allowed the petitioner the sum of twenty-five pounds, which hath been long ago expended in his necessary support; and therefore praying such further relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That during the remainder of the session, no matter be moved in the House after the hour of twelve in the forenoon, until the order of the day be either gone through or put off.

Mr. Nicholas reported, from the committee of Propositions and Grievances, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where same was read, and is as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the further consideration of the petition of sundry inhabitants of the county of Spotsylvania, for removing the courthouse of the said county from the town of Fredericksburg to a place more central; and, of another petition of sundry other inhabitants of the said county in opposition thereto, be referred to the next session of Assembly.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

The order of the day being read, for this House to resolve itself into a committee of the whole House, to consider of the state of the army;

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported, from the committee, that they had made a farther progress in the matters to them referred, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the state of the army.

*Ordered*, That the committee of Public Claims do state an account of the expenses incurred, by sending for the members who were absent when the House was called over, pursuant to the order of the House on the 24th of October last.

*Ordered*, That Mr. Adams have leave to be absent from the service of this House, until Tuesday next.

The other order of the day being read;

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

And then the House adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY, December 3, 1777.

A message from the Senate by Mr. Henry Lee :

MR. SPEAKER,—The Senate have agreed to the resolution of this House, respecting the Gun Manufactory in the town of Fredericksburg, with an amendment, to which amendment the Senate desire the concurrence of this House. And then he withdrew.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the state of the army;

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported from the committee, that they had made a farther progress in the matters to them referred; and had directed him to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the state of the army.

*Ordered*, That Mr. Cary have leave to be absent from the service of this House, for the remainder of the session. The other orders of the day being read;

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider further of the motion, “that a supply be provided for the public exigencies.”

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider of the bill “to prohibit the importation of slaves.”

And then the House adjourned till to-morrow morning, 10 o’clock.

THURSDAY, December 4, 1777.

Mr. Jefferson reported, from the committee appointed to draw up what is proper to be offered at the conference proposed with the Senate, on the subject matter of their amendments to the resolution of this House for paying to Thomas Johnson the sum of 15*l*. 5*s*. 6*d*., that the committee had accordingly drawn up what they think would be proper to be offered at the said conference, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk’s table, where the same was read, and is as followeth, viz :

The House of Delegates has desired this conference, in order to preserve that harmony and friendly correspondence with the Senate, which is necessary for the discharge of their joint duties of legislation, and to prevent, both now and in future, the delay of public business, and injury which may accrue to individuals, should the two Houses differ in opinion as to the distinct office of each.

Though during the course of the last two, and also of the present session of Assembly, they have acquiesced, under some amendments made by the Senate to votes for allowing public claims and demands, yet they are of opinion that an adherence to fundamental principles is the most likely way to save both time and disagreement; that a departure from them may at some time or other be drawn into precedent for dangerous innovations, and that therefore it is better for both Houses, and for those by whom they are entrusted, to correct the error while new, and before it becomes inveterate by habit and custom.

The constitution having declared that “money bills shall in no instance be altered by the Senate, but wholly approved or rejected,” the delegates are of opinion the Senate had no authority to amend their late vote for allowing to Thomas Johnson the sum of fifteen pounds five shillings and sixpence; should the term “money bills” in the constitution not immediately convey the precise idea which the framers of that act intended to express, it is supposed that its explanation should be sought for in the institutions of that people, among whom alone a distinction between money bills and other acts of legislation is supposed to have been made, and from whom we, and others, emigrating from them, have indisputably copied it.

By the law and usages of their parliament then, all those are understood to be “money bills” which raise money in any way, or which dispose of it, and which regulate those circumstances of matter, method and time, which attend as of consequence on the right of giving and disposing. Again, the law and customs of their parliament, which include the usage as to “money bills,” are a part of the law of their land; our ancestors adopted their system of law in the general, making from time to time such alterations as local diversities required; but that part of their law which relates to the matter now in question, was never altered by our legislature, in any period of its history; but on the contrary, the two Houses of Assembly, both under our regal and republican governments, have ever done business on the constant admission that the law of parliament was their law.

When the delegates, therefore, vote that fifteen pounds five shillings and six pence, whether raised or to be raised on the people, shall be disposed of in payment to Thomas Johnson for losses sustained by him on the public behalf, this is a vote for the disposal of money, which the Senate are at liberty to approve or reject in the whole, but cannot amend by altering the sum.



The delegates, therefore, hope that the Senate will concur with them in a strict and mutual observance of those laws by which both Houses are bound : and they are well assured, that this subject being properly stated to the Senate, they will forbear in future, to exercise a practice which seems not authorised ; but, if there should be found any difference of opinion on this point, the delegates will be ready to join in any regular proposition for defining with precision, the subject of their difference, so as to prevent all doubts and delays in future.

The said report being read a second time, was, upon the question put thereupon, agreed to by the House.

The order of the day being read, for the House to resolve itself into a committee of the whole House, on the state of the army,

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported from the committee, that the committee had come to several other resolutions, which they had directed him to report to the House ; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz :

*Resolved, that it is the opinion of this committee,* That all the regiments of infantry, raised by the laws of this Commonwealth, on continental establishment, should be reduced to eight companies each ; thereby to assimilate their establishment to that of the regiments from the other American States ; and that the officers of the reduced companies be provided for, by transferring them to such companies in the said regiments as want officers.

*Resolved, that it is the opinion of this committee,* That fourteen of the said regiments be speedily completed, according to the said establishment ; and that the first battalion on Commonwealth establishment, under the command of Colonel George Gibson, and now in continental service, be continued in the said service, instead of the ninth Virginia regiment, made prisoners at the battle of Germantown, until the officers and men of the said ninth regiment, shall be exchanged.

*Resolved, that it is the opinion of this committee,* That the officers of the said regiments ought to use their utmost endeavors to re-enlist such men now in the said regiments, whose time of service will shortly expire, for three years longer, or during the present war ; and that they be empowered to offer them a bounty of twenty dollars each, over and above the present continental bounty.

*Resolved, that it is the opinion of this committee,* That the number of \_\_\_\_\_ men, be forthwith raised for completing the above mentioned fourteen continental regiments, by draughts from the body of the militia of this Commonwealth, and that the quota to be draughted from each county and corporation, be proportioned to the number of militia.

*Resolved, that it is the opinion of this committee,* That such draught be made in each county, by a fair and equal lot between the able bodied men of the militia therein, not having wives or children, and who shall serve for one year, or find substitutes in their room.

*Resolved, that it is the opinion of this committee,* That a bounty of ten dollars each, over and above the continental bounty, ought to be offered to such able bodied men as shall voluntarily enlist in the said regiment, to serve for three years or during the present war, and a bounty of twenty dollars, in the whole, to such as shall engage to serve for one year ; and that so many men as will thus engage, shall be deducted out of the proportion of the county or corporation wherein they are enlisted and the draught aforesaid made for the residue only ; and every single man who shall procure a man so to enlist, shall be exempted from the said draught.

*Resolved, that it is the opinion of this committee,* That the men so raised, shall be entitled to the same pay, rations and clothing, and subject to the same rules and regulations with the other soldiers of the Virginia regiments on continental establishment ; and upon their joining the army, shall have the option of entering into such of the companies and regiments, of the Virginia continental troops, as they shall choose, in which there shall be room for their admission.

*Resolved, that it is the opinion of this committee,* That such of the draughted men, who, after joining the army shall enlist for three years, or during the continuance of the present war, shall be entitled to one hundred acres of unappropriated lands, besides the bounty paid them in money.

*Resolved, that it is the opinion of this committee,* That any person, (except in the case of parent and child, or husband and wife,) wilfully harboring or concealing any deserter from the troops of the United American States, or any of them, if the offender be a man capable of military service, shall serve as a soldier in some one of the Virginia regiments on continental establishment, during such deserter's time of service ; and if the offender be a woman, or a man incapable of military service, he or she shall pay a fine of fifty pounds, or suffer three months close imprisonment.

*Resolved, that it is the opinion of this committee,* That in order to supply the officers and soldiers of the said regiments with the necessaries of life at moderate prices, and prevent the ruinous exactions they have hitherto been subject to, agents ought to be appointed to purchase, or contractors agreed with, to supply such necessaries on the public account, and retail them to the officers and soldiers at a price that will barely reimburse the public.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That a bill or bills be brought in, pursuant to the said resolutions ; and that Messrs Carter, George Mason, Pendleton, Nicholas, Harrison of Charles City, General Nelson, Jefferson and Bullitt, do prepare and bring in the same.



Mr. Carter also acquainted the House, that he was directed by the committee, to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the state of the army.

The House being informed that Mr. Henry Taylor, one of the members for the county of Southampton, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence when the House was called over on the twenty-second day of October last;

*Ordered*, That the said Henry Taylor be discharged out of custody, without paying fees.

*Ordered*, That Mr. Curle and Mr. Napier, have leave to be absent from the service of this House for the remainder of the session.

A message from the Senate by Mr. Walker :

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for paying 365*l.* to Fielding Lewis and Charles Dick, Esquires, managers of the Gun Manufactory in the town of Fredericksburg. And also,

The Senate will proceed by joint ballot with this House, on Tuesday next, to the choice of a delegate to represent this State in General Congress, in the room of Joseph Jones, Esq. And then he withdrew.

The House being informed that Mr. Alexander Purdie, printer to the public, was unable to print the Journals of this House and those of the Senate with proper despatch;

*Ordered*, That a message be sent to the Senate, to desire that they will appoint some other printer to print their Journals.

*Ordered*, That Mr. Carter do carry the message.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate doth agree to the conference desired by this House, on the subject matter of their amendments to the resolution for paying to Thomas Johnston 15*l.* 5*s.* 6*d.*, and have appointed four of their members to manage the said conference. And then he withdrew.

*Resolved*, That Messrs. Jefferson, Bullitt, Hugh Nelson, Griffin, Carrington and Meriwether, do manage the conference on the part of this House; and they are to withdraw immediately.

Then the names of the managers were called over, and they went to the conference.

*Ordered*, That Mr. Jefferson do go to the Senate, and acquaint them that this House have appointed six of their members to manage the conference.

Mr. Carter presented to the House, according to order, a bill "to empower the commissioners of the Gun Manufactory at Fredericksburg, to take apprentices therein," and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

The House being informed, that the act of Assembly, "for speedily clothing the troops raised in this Commonwealth, now in continental service," had been published contrary to the directions of this House;

*Ordered*, That the committee of Privileges and Elections, do inquire by what means, and by what person, the said act of Assembly hath been made public.

Mr. Nicholas reported, from the committee of Propositions and Grievances, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz :

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the county of Fluvanna, setting forth, that the courthouse of the said county, as at present situated, is very inconvenient to the majority of the inhabitants, and praying that an act may pass, to enable the court to consider of a more fit and convenient place for fixing the same, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of sundry other inhabitants of the said county of Fluvanna, in opposition thereto, praying that the courthouse may remain where it now is, be rejected.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That a bill or bills be brought in, pursuant to the 1st resolution of the committee; and that the committee of Propositions and Grievances, do prepare and bring in the same.

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for raising a number of volunteers for the speedy reinforcement of the army under the command of his excellency General Washington."

*Resolved*, That this House will, on Saturday next, resolve itself into a committee of the whole House, to consider of the bill "to prevent forestalling, regrating, and engrossing."

And then the House adjourned till to-morrow morning, 10 o'clock.

FRIDAY, December 5, 1777.

Another member, returned upon a new writ, having taken the oath appointed by law to be taken, took his seat in the House.

Several petitions of sundry inhabitants of the county of Caroline, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they have seen an act of the last session of Assembly, by which dissenters from the church of England are exempted from all levies for the support of the said church and its ministers, and highly approve thereof, as founded on principles of justice and propriety, and favorable to religious liberty; that at the same time, they beg leave to suggest, that, as in their opinion, public worship is a duty we owe to the Creator and preserver of mankind, and productive of effects the most beneficial to society, it ought to be enjoined and regulated by the legislature, so as to preserve public peace, order, and decency, without prescribing a mode or form of worship to any; that in such regulations an expense must unavoidably be incurred, not only for the building and repairing of places of worship, but also for the support of religious teachers or ministers, that they may be freed from the cares of providing for their own and their families' subsistence, and attend more constantly and diligently to the cure of souls, which expense they conceive ought to be defrayed by an equal contribution of all men, in proportion to their circumstances, or according to the degree in which they possess that species of property on which the legislature shall think fit to levy their taxes for public uses; but that equality can never be preserved if men are left to their voluntary donations; since, whilst the liberal exceed their proportion, the avaricious and miserly will fall short of theirs, or, perhaps, withhold all contribution; and that at the same time, the mode of making and collecting such subscriptions, will probably be the source of much contention and ill will between the minister and his congregation, which circumstance, with the very precarious nature of the provision, must necessarily discourage men of genius and learning from engaging in the ministerial office, and bring that order into contempt, and perhaps, in the end, religion itself:

That upon these, and many other considerations, they are of opinion, that it will be most proper to fix on all tithables, the payment of one certain annual sum, which may be judged adequate to the decent support of a minister of the gospel, and providing places of worship, leaving it to the payer, at the time of giving in his list of tithables, to direct the appropriation of his quota to the use of that church, and its ministers, under such regulations as may be thought best.

*Ordered*, That the said petition be referred to the committee for Religion; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Stephen Terry, was presented to the House, and read; setting forth, that he was a soldier in Captain Powell's company of regulars in the 3d Virginia regiment; and at the battle of Brandywine, on the 11th of September last, received a ball through his shoulder, which has deprived him of the use of his right arm, and that he is thereby rendered unable to serve his country, or to procure a livelihood by labor; and therefore praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Buckingham, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the line between the said county and the county of Cumberland, runs in such a manner that the lower corner in the said county, for six or seven miles, is not more than a mile wide; that the extent of the said corner is at least thirty-five miles from their said courthouse, while the courthouse of Cumberland is within seven or eight miles of some of the petitioners, and more convenient to all of them than the courthouse of their own county; and, therefore, praying that so much of the said county of Buckingham, as will be below a line to be run from the mouth of Slate River to the county line where it crosses Horn Quarter, may be added to, and made part of, the county of Cumberland.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Nathaniel Gist was presented to the House, and read; setting forth, that his excellency General Washington, from a supposition that there was a peace then subsisting between the Cherokees and the United States of America, commanded the petitioner, in the month of January last, to go to that nation of Indians, and endeavor to engage a corps of them to enter into the continental service; that when the petitioner came to the city of Williamsburg, he was required by the Governor and Council to forward, as much as in him lay, the treaty which was then in agitation between Virginia and the Cherokees; that on his arrival at the Long Island, finding that the chief warriors failed to attend, he undertook at the request of the commissioners to bring them in, which was accordingly effected by the influence and exertions of the petitioner; and that there were several particulars given to him in charge by the commissioners, which increased the labor and hazard of his journey to the Cherokee nation, and which he faithfully executed; and, therefore praying that his said services may be inquired into, and such compensation made him for the same, as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the consideration of a committee; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And a committee was appointed, of Messrs. General Nelson, Harrison of Prince George, Braxton, Fleming and Fitzhugh.



A petition of John Owens was presented to the House, and read; praying, that a ferry may be established from the land of the petitioner, on the south side of Dan river, in the county of Pittsylvania, across the said river to the land of Sylvester Adams, on the opposite side.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Nicholas Parker was presented to the House, and read; setting forth, that in the year 1776, his son Nicholas Parker, entered as an ensign in a company of the fourth regiment, and on his march to join General Washington was taken sick at Leeds Town, and after continuing ill for several months departed this life; and that he has been obliged to pay to a physician, who attended his said son, the sum of twenty five pounds, and also the further sum of twenty-five pounds four shillings and three pence for his board, there being then no surgeon to the said regiment; and praying to be reimbursed the said sums of money.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Orange, whose names are thereunto subscribed, was presented to the House, and read; praying, that the cultivation of tobacco may be restrained, and greater opportunity thereby given for the raising and manufacturing of articles necessary for the army and the prosecution of the war.

And the question being put, that the said petition be referred to a committee;

It passed in the negative.

A petition of sundry freeholders of the county of Cumberland, whose names are thereunto subscribed, was presented to the House, and read; praying, that so much of the act of Assembly, for dividing the county of Cumberland, as directs that a certain quantity of land, whereon the courthouse of the said county is to be erected, should be set apart for a town, may be repealed;

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Fox was presented to the House, and read; praying, that a ferry may be established from the land of the petitioner, in the county of Gloucester, to Cappahosick ferry, and to the mouth of Stanhope creek;

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the report of the Commissioners appointed to inquire into, and ascertain the losses sustained by, the late inhabitants of Norfolk, which was ordered to lie on the table, be referred to the consideration of a committee; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House. And the said committee are to have power to send for persons, papers, and records, for their information.

And a committee was appointed, of Messrs. Nicholas, Jefferson, Carter, Harrison of Charles City, Brown, George Mason, Flanning, Tazewell and Randolph.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill "to amend an act, entitled 'an act for regulating and disciplining the militia,'" that they have power to receive a clause or clauses, to explain so much of the act of Assembly, "for the more speedily completing the quota of troops to be raised in this Commonwealth, for the continental army, and for other purposes," so far as relates to the exemptions allowed to those of the militia who should find substitutes to serve in the continental army.

The Speaker laid before the House a letter from the Governor, enclosing several resolutions of Congress with some other papers;

And the said resolutions and papers were read.

*Ordered*, That the said resolutions and papers be referred to the committee of the whole House, on the letters from the Governor, which, with several other papers, were ordered to lie on the table.

*Ordered*, That Mr. Allen have leave to be absent from the service of this House until Monday se'nnight next; and Messrs. Deloney, Booker and Rose for the remainder of the session.

*Ordered*, That Mr. Carrington be added to the committee of Propositions and Grievances, and the committee for Religion.

Mr. Braxton reported, from the committee for Religion, to whom several petitions of sundry inhabitants of the parish of Christ Church, in the county of Lancaster, were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the vestry of the parish of Christ Church, in the county of Lancaster, ought to be dissolved.

*Resolved*, that it is the opinion of this committee, That the petition of sundry other inhabitants of the said parish, in opposition thereto, be rejected.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That a bill or bills be brought in, pursuant to the first resolution of the committee, and that the committee for Religion do prepare and bring in the same.

A message from the Senate by Mr. Carrington:



MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying to Benjamin Bucktrout, 30*l.*; Nathaniel Venable, 4*l.* 15*s.*; Ellinah Milby, 20*l.*; Margaret Irvine, 35*l.*; Robert Coleburne, 7*l.* 15*s.*; William Terrel, 40*l.*; Edmund Wilcox, 24*l.* 14*s.* 10*l.*; Gideon Moone, 10*l.* for his present relief, and the further sum of 5*l.* per annum, for the term of three years; and to Edward Lewis, 20*l.* for his present relief, and the further sum of 10*l.* per annum, during life. And then he withdrew.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the state of the army.

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported, from the committee, that they had come to a resolution, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolution of the committee was read, and is as followeth, viz:

*Resolved, that it is the opinion of this committee, That such counties as have not furnished their quotas of the six last continental regiments, raised by this Commonwealth by draught, agreeable to an act of Assembly of the last session, be obliged so to do; and that such of the counties as have draughted men unfit for duty, be obliged to furnish able bodied men in their room.*

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered, That it be an instruction to the gentlemen appointed to prepare and bring in a bill pursuant to the resolutions of the said committee, reported yesterday and agreed to by the House, that they have power to receive a clause or clauses pursuant to the said resolution.*

*Ordered, That Messrs. Gen. Nelson, George Mason, Thompson Mason, Fitzhugh, Carter and Kello, be added to the committee of Privileges and Elections.*

An engrossed bill "for establishing a town in the county of Hampshire," was read the third time.

*Resolved, That the bill do pass, and that the title be, "an act for establishing the town of Moorfield, in the county of Hampshire."*

*Ordered, That Mr. Neaville do carry the bill to the Senate, and desire their concurrence.*

Mr. Syme presented to the House, according to order, a bill "to empower the vestry of Saint Paul's parish, in the county of Hanover, to sell the glebe of the said parish, and to lay out the money in the purchase of a more convenient glebe."

And the same was received, and read the first time.

*Resolved, That the bill be read a second time.*

General Nelson, presented to the House, according to order, a bill "to vest certain lands, whereof John Tayloe Griffin and Mary his wife are seised, in trustees," and the same was received, and read the first time.

*Resolved, That the bill be read a second time.*

Mr. Bullitt, presented to the House, according to order, a bill "to amend an act to support the credit of the money issued by the authority of Congress, and by the authority of this Commonwealth, and to make the former current within this Commonwealth;" and the same was received, and read the first time.

*Resolved, That the bill be read a second time.*

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill "for raising a number of volunteers, for the speedy reinforcement of the army under the command of his excellency General Washington,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported, from the committee, that they had gone through the bill, and that the committee had directed him to report the same, without any amendment,

And the question being put, that the bill be engrossed,

It passed in the negative.

The other orders of the day being read;

*Resolved, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."*

*Resolved, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."*

*Resolved, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies."*

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, December 6, 1777.

Another member having taken the oath appointed by law to be taken, took his seat in the House.

*Ordered*, That the Speaker be desired to issue a new writ for electing a delegate for the county of Prince Edward, in the room of John Morton, Esquire, who, since his election, hath accepted the office of sheriff of the said county.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill, pursuant to the resolutions of the committee of the whole House on the state of the army, which, on the fourth day of this instant, were reported and agreed to by the House, that they have power to receive a clause, or clauses, for allowing any county or corporation to lessen their quota directed to be raised in the said bill, by so many as they shall take of deserters between the passing the said bill and the day of their draught, and deliver to the lieutenant or other commanding officer of the county or corporation; and, that the person taking such deserter, shall be exempted from the draught; or, if more than one were concerned therein, they shall determine by fair and equal lot, or otherwise, as they shall agree among themselves, which of them shall be exempted: and such one shall accordingly be exempted.

*Ordered*, That Mr. Dabney have leave to be absent from the service of this House, until the 20th day of this month.

A memorial of sundry field officers of the regiments raised by this Commonwealth, for the continental army, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that deeply affected with the distressed situation of the family of the late Lieut. Col. Seayres, who unfortunately fell in the action of the fourth of October last, they beg leave to represent to the House, that he served his country with the highest credit, and died with the greatest honor; that he has left behind him a wife, and several children, in the most friendless and distressed situation, who, before the present contest, drew their chief support from his assistance; and, that they will now be subjected to all the miseries which poverty can inflict, unless relieved by this House; and, therefore, praying that such provision may be made for them as may, in some measure, repair the great loss they have sustained.

*Ordered*, That the said memorial be referred to the consideration of a committee; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And a committee was appointed, of Messrs. Lyne, General Nelson, Todd of King and Queen, Edmondson, William Smith and Upshaw.

A petition of sundry inhabitants of the county of Cumberland, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they have with the greatest pleasure, observed in the act of Assembly for dividing their county, a clause "directing a town to be laid off at the place fixed on for the courthouse;" that, in conformity to the said act, the court have fixed on the land of Maurice Langhorne, gentleman, for that purpose; since which, some unthinking and interested persons propose, as they are informed, to petition this House to repeal the abovementioned clause; and, that they cannot but express their concern, lest a measure so well calculated for the ease and convenience of the inhabitants, should be defeated by the misapprehension of its true meaning and intent; and therefore praying, that no alteration may be made in the act of Assembly aforesaid.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Richard Lee reported, from the committee of Public Claims, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That Lazarus Benton, whose sons were killed in the late expedition against the Indians, and on whose labour he depended for subsistence, being, through age and indigence, incapable of procuring a maintenance by his own labor, ought to be allowed the sum of 20*l.* per annum during life.

*Resolved*, that it is the opinion of this committee, That the petition of Henry Cammock, a soldier in the service of this Commonwealth, who was accidentally wounded, be rejected; it appearing that the petitioner is fit for duty, and continues in the service.

*Resolved*, that it is the opinion of this committee, That Robert Barnett, ought to be allowed for his cornfield and pasture (taken for the use of the stock on the late expedition against the Cherokees,) the sum of 20*l.* being the appraised value thereof.

*Resolved*, that it is the opinion of this committee, That James Kincannon, ought to be allowed for his pasture and meadow (taken for the use of the stock on the late expedition against the Cherokees,) the sum of 13*l.* being the appraised value thereof.

*Resolved*, that it is the opinion of this committee, That Evan Shelby, ought to be allowed for his meadows and pastures (taken for the use of the stock on the late expedition against the Cherokees,) the sum of 15*l.*

*Resolved*, that it is the opinion of this committee, That William Sayers ought to be allowed for his pastures (taken for the use of the pack horses on the late Cherokee expedition,) the sum of 12*l.* being the appraised value thereof.

*Resolved*, that it is the opinion of this committee, That Anne Hayes, widow of Daniel Hayes, who enlisted with Capt. Singleton in the train of artillery, and died in the continental service, ought to be allowed the sum of 20*l.* for the immediate support of herself and children; and the farther sum of 5*l.* per annum for three years, towards their

maintenance during that term. The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Lee, do carry the 1st, 3d, 4th, 5th, 6th, and 7th resolutions to the Senate, and desire their concurrence.

The orders of the day being read,

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider of the bill "to prevent forestalling, engrossing, and regrating."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies."

And then the House adjourned till Monday morning, 10 o'clock.

## MONDAY, December 8, 1777.

Mr. Harrison reported, from the committee of Propositions and Grievances, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Augusta, praying that a part of the said county, lying on the west side of the north mountain, may be added to the county of Hampshire, is reasonable.

*Resolved*, that it is the opinion of this committee, That the said county of Augusta ought to be divided by a line beginning at the north side of the north mountain, opposite to the upper end of Sweedland Hill, and running a direct course so as to strike the mouth of Seneca creek, on the north fork of the south branch of Potomac, and the same course continued to the Alleghany mountain, thence along the said mountain to the line of Hampshire; and that all that part of the said county lying to the northward of the said line be added to, and made part of, the county of Hampshire.

*Resolved*, that it is the opinion of this committee, That the petition of divers other the inhabitants of the said county of Augusta, praying that the remaining part of the said county may be divided and formed into two distinct counties, is reasonable.

*Resolved*, that it is the opinion of this committee, That the said county of Augusta ought to be divided into two distinct counties, by a line beginning at the south mountain, and passing Benjamin Yardley's, so as to strike the north river below James Baird's house, and up the meanders of the said river to the mouth of Naked creek, then leaving the river and running a direct course, so as to cross the said river at the mouth of Cunningham's branch in the upper end of Silas Hart's land, and the same course continued to the foot of the north mountain, thence north 55 degrees west, to the Alleghany mountain, and with the said mountain to the Hampshire line.

*Resolved*, that it is the opinion of this committee, That the petition of John Aimes, praying that he may be allowed a reasonable satisfaction for a mulatto servant lad, who enlisted as a soldier in the service of this State with Capt. Pollard, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of Lewis Lee, praying he may be allowed the sum of 49l. for a mulatto servant, who enlisted as a soldier with Lieutenant Cannon of the 15th regiment, be rejected.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That a bill or bills, be brought in pursuant to the 1st, 2d, 3d, and 4th resolutions of the committee; and that the committee of Propositions and Grievances, do prepare and bring in the same.

A bill "to empower the commissioners of the Gun Manufactory at Fredericksburg to take apprentices therein," was read a second time.

*Resolved*, That the bill be committed to Messrs. Carter, Pendleton, Fitzhugh, Winslow, Jett and Edmondson.

A bill "to vest certain lands, whereof John Tayloe Griffin and Mary his wife are seised, in trustees;" was read a second time.

*Resolved*, That the bill be committed to Messrs. General Nelson, Tazewell, Underwood Woodson and Burwell.

A bill "to amend an act, entitled 'an act to support the credit of the money issued by the authority of Congress, and by the authority of this Commonwealth, and to make the former current within this Commonwealth,'" was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, on Saturday next, resolve itself into a committee of the whole House, to consider of the said bill.

A bill, "to empower the vestry of Saint Paul's parish, in the county of Hanover, to sell the glebe of the said parish, and to lay out the money in the purchase of a more convenient glebe," was read a second time.

*Resolved*, That the bill be committed to Messrs. Syme and Anderson.



A bill "to prevent the exportation of salt from this Commonwealth for a limited time," was read a second time. And the question being put, that the bill be engrossed, It passed in the negative.

A bill "to empower the trustees and feeoffees of the town of Fredericksburg, to assess the expense of keeping the streets of the said town in repair, on the inhabitants thereof," was read a second time.

*Resolved*, That the bill be committed to Messrs. Winslow, Upshaw, Fitzhugh and Carter.

*Ordered*, That Messrs. Kello, Winn and Kiug, have leave to be absent from the service of this House, for the remainder of the session.

*Ordered*, That it be an instruction to the committee of Propositions and Grievances, who are directed to prepare and bring in a bill or bills, pursuant to the resolutions of the said committee, this day reported and agreed to by the House, that they have power to receive a clause or clauses, for forming a new county out of the counties of Augusta and Botetourt, to be described by a line to begin on the top of the Blue Ridge, opposite to Steel's mill in the county of Augusta, running thence north 55 degrees west, crossing the north mountain to the top of the Calf Pasture Mountain, thence along the said ridge to the line of Botetourt county, thence north 55 degrees west, to the ridge dividing the eastern and western waters, then by another line to begin on the top of the Blue Ridge, opposite to Audley Paul's plantation in the county of Botetourt and in the fork of James River, and running thence north 55 degrees west, to the said ridge, dividing the eastern and western waters.

*Ordered*, That no petition be received by this House after Thursday next.

*Ordered*, That it be an instruction to the gentlemen appointed to prepare and bring in a bill "to amend an act, entitled 'an act limiting the time for continuing the delegates to General Congress in office, and making provision for their support, and for other purposes,'" that they have power to receive a clause or clauses, for increasing the allowance to the delegates in General Congress.

The Speaker laid before the House a letter from the President of the Senate and the Speaker of the House of Delegates of the State of Maryland.

And the said letter was read.

*Ordered*, That the said letter do lie upon the table, to be perused by the members of the House.

A petition of Benjamin Baker, was presented to the House, and read; setting forth, that the public warehouses on Nansemond river for the reception of tobacco, having been discontinued, he hath, at his own expense, erected a warehouse on the land of the petitioner at South Quay, in the said county, which hath now become a place of considerable trade, and is very convenient for a warehouse; and praying that the said warehouse may be established as a public warehouse, for the reception and inspection of tobacco.

*Ordered*, That leave be given to bring in a bill, pursuant to the prayer of the said petition, and that Messrs. Cowper and Taylor do prepare and bring in the same.

A petition of James Smith, was presented to the House, and read; setting forth, that of his three sons enlisted in the regular service, two were taken sick and remained a considerable time with the petitioner, to whose house they were sent for the recovery of their health, and that he was at much trouble and expense in nursing and procuring proper medicines for them; and therefore, praying such compensation as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Moses Pearson, was presented to the House, and read; setting forth, that he enlisted as a minute soldier, in the county of Pittsylvania, under Capt. Penn, and marched with him to Jamestown, where he caught a lingering illness, which hath continued ever since, and by which he is rendered incapable of getting a livelihood by labor; and that he hath incurred considerable expense for medicines, in hopes thereby to effect a recovery of his health; and therefore, praying such relief may be granted him as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Messrs. Hardy and Baker, was presented to the House, and read; setting forth, that they presented a memorial at the last session of Assembly, setting forth a contract they had entered into with the committee of Safety, and a breach thereof on the part of the said committee; in consequence of which the petitioners had sustained very considerable damages; that the said memorial was considered by the House, who came to several resolutions thereupon, which were afterwards sent to the Senate for their concurrence; but that for some cause unknown to the petitioners, the consideration thereof was deferred from time to time without any final decision, until the adjournment of the Assembly; and praying the matter may be again taken into consideration, and such relief granted them, as shall appear to be just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Several petitions of sundry inhabitants of the county of Amelia, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that they labor under great inconveniences in attending court, general musters, and other public business, and therefore praying that the said county may be divided by the parish line.

And the question being put, that the said petitions be referred to the consideration of the next session of Assembly, It was resolved in the affirmative.

A petition of Jonathan Hopkins was presented to the House, and read; setting forth, that he supplied wheel timber for the use of the garrison at Portsmouth, to the amount of 13*l*. 15*s*., for which he has received no satisfaction, and praying to be allowed the said sum of money.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Abraham Gibson was presented to the House, and read; setting forth, that ever since the commencement of the present war, his house and lots in the town of Portsmouth have been occupied by the troops for barracks, and have been greatly damaged, and that he hath received no satisfaction for the same, and therefore praying such compensation may be made him as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Charles Fulgham was presented to the House, and read; setting forth, that a negro boy, belonging to the petitioner, was taken by John Goodrich, the elder, and by him carried into North Carolina, where he was afterwards retaken by John Anderson and others, of the sloop Lilly; that he was obliged to pay salvage and the costs of the court of admiralty to the captors; and therefore praying that he may be repaid the same, together with a reasonable hire for the said slave for the time he was in the possession of the said Goodrich, out of his estate.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry freeholders and other inhabitants of the county of Buckingham, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that as they are informed, sundry inhabitants of the county of Cumberland are attempting to effect an alteration in the bounds of said county of Buckingham, which they conceive would be very prejudicial to the inhabitants of the said county; and therefore praying that the said county of Buckingham may remain as it now is.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Daniel Kidd was presented to the House, and read; setting forth, that he was employed by the commissary for the Cherokee expedition, to purchase for the use of the public, linen and other necessaries, which he accordingly did, to a considerable amount, and laid out his own money, which he did not receive again for near twelve months; that he was at great expense and trouble in collecting the articles aforesaid, and that the auditors have allowed him only 6*l*. 10*s*. for the same, which is by no means adequate thereto; and therefore praying such further allowance as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill to continue an act, entitled "an act for the more regular laying off the borough of Norfolk," and an act, entitled "an act for appointing commissioners to inquire into, and ascertain the losses sustained by the late inhabitants of the borough of Norfolk;" and that Messrs. Kello, Prentis and Godfrey, do prepare and bring in the same.

*Resolved*, That the auditors of Public Accounts, be empowered to make an allowance of twenty shillings per day where the wagoners have found their own provisions, and fifteen shillings per day where provisions have been supplied by the public, for the hire of such wagons and teams as were impressed into the service for the use of the militia since the 15th day of August last.

*Ordered*, That Mr. Bullitt do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill "to regulate the allowance to the members of the General Assembly," and that Messrs. Lyne and Pendleton, do prepare and bring in the same.

*Ordered*, That the House be called over to-morrow morning, at eleven o'clock.

Mr. Kello presented to the House, according to order, a bill "for continuing an act, entitled 'an act for the more regular laying off the borough of Norfolk,' and an act, entitled 'an act for appointing commissioners to inquire into, and ascertain the losses sustained by the late inhabitants of the borough of Norfolk;'" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

The orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the motion, "that a supply be provided for the public exigencies."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

And then the House adjourned till to-morrow morning, 10 o'clock.

TUESDAY, December 9, 1777.

*Ordered*, That Mr. Perkins have leave to be absent from the service of this House until the 22d day of this month; and Messrs. Watkins and Webb, for the remainder of the session.

The order of the day being read, for the House to proceed, by joint ballot with the Senate, to the appointment of a delegate to represent this Commonwealth in General Congress, in the room of Joseph Jones, Esq.

The House nominated several persons to be ballotted for.

*Ordered*, That Mr. Bullitt do carry a list of the persons so nominated to the Senate.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have added one person to the list of those nominated by this House to be ballotted for as a delegate to General Congress, in the room of Joseph Jones, Esquire; and he named the person; and then withdrew.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed a delegate to the General Congress, in the room of Joseph Jones, Esquire.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. General Nelson, Bullitt, George Mason, and Wills; and they are to withdraw immediately.

*Ordered*, That General Nelson do acquaint the Senate therewith.

General Nelson reported from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

For John Walker, Esq.	31	For Meriwether Smith, Esq.	13
Thomas Adams, Esq.	27	Richard Lee, Esq.	10
James Mercer, Esq.	15		

And it appearing, from the report of the committee, that neither of the persons therein mentioned hath a majority of both Houses, the House proceeded to ballot between the said John Walker and Thomas Adams, they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed the said delegate.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. General Nelson, Bullitt, George Mason, and Wills; and they are to withdraw immediately.

*Ordered*, That General Nelson do acquaint the Senate therewith.

General Nelson reported from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

For Thomas Adams, Esq.	52	For John Walker, Esq.	42
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*Resolved*, That the said Thomas Adams, Esq. be appointed a delegate to represent this State in General Congress, (in the room of Joseph Jones, Esq.) he having been chosen for that purpose by joint ballot of both Houses.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

A bill "for continuing an act, entitled 'an act, for the more regular laying off the borough of Norfolk,' and an act, entitled "an act for appointing commissioners to inquire into, and ascertain the losses sustained by the late inhabitants of the borough of Norfolk," was read a second time.

*Resolved*, That the bill be committed to Messrs. Prentis, Cowper and Lee.

The House proceeded to take into consideration the letter from the President of the Senate and Speaker of the House of Delegates of the State of Maryland, which was yesterday ordered to lie upon the table.

And the said letter being again read,



*Resolved*, That three commissioners be, by joint ballot with the Senate, appointed on behalf of this Commonwealth, to meet commissioners to be appointed by the State of Maryland; and, with them, to consider of the most proper means to adjust and confirm the rights of each, to the use and navigation of, and jurisdiction over, the bay of Chesapeake, and the rivers Potomac and Pocomoke, in order to prevent any difference on those subjects, which may interrupt that desirable harmony between the two countries, which it is equally the interest of both to cultivate; and, that the commissioners of the Commonwealth report their proceedings to the General Assembly.

*Ordered*, That Mr. Fleming do carry the resolution to the Senate, and desire their concurrence.

Mr. Harrison reported, from the committee of Propositions and Grievances, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That so much of the petition of divers inhabitants of the county of Montgomery, as prays that a part of the said county lying on the east side of New river may be added to the new county taken from Botetourt, to be laid off on Greenbrier, is reasonable.

*Resolved*, that it is the opinion of this committee, That the said county of Montgomery, ought to be divided by a line to begin on the top of Peter's mountain at the line dividing Botetourt and Montgomery, and running thence along the said mountain to the Kanawha, or New river, thence down the said river till it joins the Botetourt line, and that all that part of the said county of Montgomery lying to the northward of the said line be added to, and made part of, the new county to be laid off on Greenbrier, taken from Botetourt.

*Resolved*, that it is the opinion of this committee, That so much of the petition of divers inhabitants of the county of Montgomery, as prays that a part of the said county lying on west side of New river may be added to the new county taken from Botetourt, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of sundry the inhabitants of the counties of Bedford and Henry, praying that a new county may be formed by taking the upper end of the county of Bedford, and part of the county of Henry, by a line to begin at the mouth of Black Water river, thence along the dividing line between the counties of Pittsylvania and Henry to the east end of Turkey Cock mountain, thence along the top of the said mountain to the west end thereof, thence a straight line to the head of Shooting creek, and to continue the same course to the top of the Blue Ridge, thence along the said ridge to Staunton river, and down the said river to the beginning, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Bedford, praying that the said county may be divided by a line to begin at the mouth of Goose creek, on Staunton river, and running thence a straight course to Hall's ford on James river, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of sundry other inhabitants of the county of Bedford, praying that the said county may be divided by a line to run from the cliff on Staunton river to Holston's knob on M'Fall's mountain, be rejected.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That a bill or bills, be brought in pursuant to the 1st, 2d, and 4th resolutions of the committee; and that the committee of Propositions and Grievances do prepare and bring in the same.

Mr. Richard Lee reported, from the committee of Public Claims, to whom the petition of Thomas Chiles was referred, that the committee had examined the matter of the said petition, and had directed him to report the same, as it appeared to them, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, that the said Thomas Chiles entered a volunteer, in a troop of horse which marched from the county of Caroline to Williamsburg, and found his own horse, appraised to the sum of 35*l.*; that the said Chiles was appointed, with others, to guard John Goodrich, the elder, to the county of Botetourt; that in the course of his journey, his horse was taken sick, so that he was obliged to leave him at New London, in the county of Bedford, where he remained upon expenses until the month of October last, when the petitioner got him home, and he was re-appraised to 12*l.*

Whereupon, your committee came to the following resolutions:

*Resolved*, that it is the opinion of this committee, That the said sum of 35*l.*, ought to be paid to the petitioner, upon his delivering up the said horse to the public.

*Resolved*, that it is the opinion of this committee, That the the sum of 9*l.* 13*s.* 10*d.*, ought to be allowed and paid to the petitioner, for his expenses in maintaining and getting his horse home.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Lee do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Richard Lee reported, from the committee of Public Claims, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved, that it is the opinion of this committee,* That the petition of Charles Casson, praying to be allowed for sundry liquors, furnished the hospital at Portsmouth, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of sundry inhabitants of the town of Suffolk, whose houses were chosen by the commanding officers for barracks, praying that proper persons may be appointed to view the damage done their said houses and gardens by the soldiery, is reasonable; and that commissioners ought to be appointed for that purpose; and that they make report of their proceedings therein to the next session of Assembly.

*Resolved, that it is the opinion of this committee,* That the petition of James Wallace Bailey, ought to be referred to the consideration of the next session of Assembly.

*Resolved, that it is the opinion of this committee,* That Stephen Terry, a soldier in Captain Powell's company of continental troops, who was wounded in the action at Brandywine, ought to be allowed the sum of 25*l.* for his present relief, and the further sum of 10*l.* per annum during life; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved, that it is the opinion of this committee,* That the claims of John Carmack, Ezekiel Smith, John Looney and Jonathan Drake, who were employed by Captain Thomas Madison, commissary on the late Cherokee expedition, to collect and take care of the stocks of different kinds, ought to be allowed, viz: John Carmack, 182*l.* 19*s.*; Ezekiel Smith, 66*l.*; John Looney, 105*l.* 16*s.*; and Jonathan Drake, 147*l.*; 5*s.*;

*Resolved, that it is the opinion of this committee,* That Anne Matthews, widow of Owen Matthews, who enlisted with Captain Dickinson in the continental service, and died in the month of March last, ought to be allowed the sum of 20*l.* for the immediate support of herself and children; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

The first, second, third and seventh resolutions of the committee, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The fourth resolution being read a second time, the amendment following was proposed to be made thereunto: to leave out "and the farther sum of 10*l.* per annum during life."

And the question being put, that the words "and the farther sum of 10*l.* per annum during life" stand part of the said resolution,

It passed in the negative.

*Resolved,* That this House doth agree with the committee in the said resolution, so amended: that Stephen Terry, a soldier in Capt. Powell's company of continental troops, who was wounded in the action at Brandywine, ought to be allowed the sum of 25*l.* for his present relief; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

The 5th resolution of the committee being read a second time, the amendment following was proposed to be made thereunto: to leave out the words "ought to be allowed, *to wit*, John Carmack, 182*l.* 19*s.*; Ezekiel Smith, 66*l.*; John Looney, 105*l.* 16*s.*; and Jonathan Drake, 147*l.* 5*s.*;" and to insert the words "be rejected for want of sufficient proof," instead thereof.

And the question being put, that the words "ought to be allowed, *to wit*, John Carmack, 182*l.* 19*s.*; Ezekiel Smith, 66*l.*; John Looney, 105*l.* 16*s.*, and Jonathan Drake, 147*l.* 5*s.*," stand part of the resolution,

It passed in the negative.

And the question being put, that the words "be rejected for want of sufficient proof" be inserted instead thereof, It was resolved in the affirmative.

*Resolved,* That this House doth agree with the committee in the said resolution, so amended: that the claims of John Carmack, Ezekiel Smith, John Looney, and Jonathan Drake, who were employed by Capt. Thomas Madison, commissary on the late Cherokee expedition, to collect and take care of the stocks of different kinds, after the return of the army, be rejected, for want of sufficient proof.

*Ordered,* That Mr. Richard Lee do carry the 4th and 5th resolutions to the Senate, and desire their concurrence.

*Ordered,* That it be an instruction to the gentlemen to whom the bill "for continuing an act, entitled 'an act for the more regular laying off the borough of Norfolk,'" and "an act, entitled 'an act for appointing commissioners to inquire into and ascertain the losses sustained by the late inhabitants of the borough of Norfolk'" was committed, that they have power to receive a clause or clauses, pursuant to the second resolution of the committee.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, that commissioners be appointed to meet commissioners to be appointed by the State of Maryland, to adjust and confirm the rights of navigation of, and jurisdiction over, the Bay of Chesapeake and the rivers Potomac and Pocomoke. And also,

The Senate have agreed to the bill, entitled "an act for establishing the town of Moorfield, in the county of Hampshire." And then he withdrew.

The Speaker laid before the House a letter from the Governor, enclosing a state of the public trade.

And the said letter and state were read.

*Ordered,* That the said letter and state do lie upon the table to be perused by the members of the House.

The Speaker laid before the House the *articles of Confederation proposed to be entered into by the United States of America, with an address to the several States on the subject thereof to the Governor, by the President of Congress.*

And the said articles and address were read, which articles are as followeth, viz:



*Articles of Confederation and perpetual Union* between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia :

*Article 1st.* The style of this Confederacy shall be "the United States of America."

2d. Each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

3d. The said States hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

4th. The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in the Union, the free inhabitants of each of these States, (paupers, vagabonds, and fugitives from justice excepted,) shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restriction shall not extend so far as to prevent the removal of property imported into any State to any other State, of which the owner is an inhabitant : provided also, that no imposition, duties or restriction shall be laid by any State, on the property of the United States, or either of them.

If any person guilty of, or charged with treason, felony, or other high misdemeanor in any State, shall flee from justice, and be found in any of the United States, he shall upon demand of the Governor, or Executive power of the State from which he fled, be delivered up and removed to the State having jurisdiction of his offence.

Full faith and credit shall be given in each of these States to the records, acts and judicial proceedings of the courts and magistrates of every other State.

5th. For the more convenient management of the general interests of the United States, delegates shall be annually appointed, in such manner as the legislature of each State shall direct, to meet in Congress on the first Monday in November in every year, with a power reserved to each State, to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the year.

No State shall be represented in Congress by less than two, nor by more than seven members; and no person shall be capable of being a delegate for more than three years, in any term of six years; nor shall any person being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit, receives any salary, fees, or emolument of any kind.

Each State shall maintain its own delegates in a meeting of the States, and while they act as members of the committee of the States. In determining questions in the United States in Congress assembled, each State shall have one vote. Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress, and the members of Congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from and attendance on Congress, except for treason, felony, or breach of the peace.

6th. No State, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty, with any king, prince or state : nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office, or title of any kind whatever, from any king, prince or sovereign State ; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more States shall enter into any treaty, confederation or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue. No State shall lay any imposts or duties, which may interfere with any stipulations in treaties entered into by the United States in Congress assembled, with any king, prince, or state, in pursuance of any treaties already proposed by Congress, to the courts of France and Spain.

No vessels of war shall be kept up in time of peace by any State, except such number only as shall be deemed necessary by the United States in Congress assembled, for the defence of such State, or its trade ; nor shall any body of forces be kept up by any State in time of peace, except such number only, as in the judgment of the United States in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such State ; but every State shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No State shall engage in any war, without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay, till the United States in Congress assembled can be consulted ; nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the Kingdom or State, and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such State be infested by pirates : in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.



7th. When land forces are raised by any State for the common defence, all officers, of or under the rank of colonel, shall be appointed by the legislature of each State respectively, by whom such forces shall be raised, or in such manner as such State shall direct; and all vacancies shall be filled up by the State which first made the appointment.

8th. All charges of war, and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States, in proportion to the value of all land within each State, granted to or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated, according to such mode as the United States in Congress assembled shall from time to time direct and appoint. The taxes for paying that proportion, shall be laid and levied by the authority and direction of the legislatures of the several States, within the time agreed upon by the United States in Congress assembled.

9th. The United States in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article—of sending and receiving ambassadors—entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever—of establishing rules, for deciding in all cases what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated—of granting letters of marque and reprisal in times of peace—appointing courts for the trial of piracies and felonies committed on the high seas, and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of Congress shall be appointed a judge of any of the said courts.

The United States in Congress assembled, shall also be the last resort on appeal, in all disputes and differences now subsisting, or that hereafter may arise, between two or more States, concerning boundary, jurisdiction or any other cause whatever; which authority shall always be exercised in the manner following: Whenever the legislative or executive authority, or lawful agent of any State in controversy with another, shall present a petition to Congress, stating the matter in question, and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question; but if they cannot agree, Congress shall name three persons out of each of the United States, and from the lists of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names, (as Congress shall direct,) shall, in the presence of Congress, be drawn out by lot, and the persons whose names shall be so drawn, or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without shewing reasons which Congress shall judge sufficient, or being present shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the Secretary of Congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress, for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath, to be administered by one of the judges of the Supreme or Superior Court of the State where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favor, affection, or hope of reward:" provided also, that no State shall be deprived of territory for the benefit of the United States. All controversies concerning the private right of soil, claimed under different grants of two or more States, whose jurisdictions, as they may respect such lands, and the States which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the Congress of the United States, be finally determined as near as may be, in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.

The United States in Congress assembled, shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective States; fixing the standard of weights and measures throughout the United States; regulating the trade and managing all affairs with the Indians not members of any of the States, provided that the legislative right of any State within its own limits be not infringed or violated; establishing and regulating post-offices from one State to another, throughout all the United States, and exacting such postage on the papers passing through the same, as may be requisite to defray the expenses of the said office; appointing all officers of the land forces, in the service of the United States, excepting regimental officers; appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States; making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States in Congress assembled, shall have authority to appoint a committee, to sit in the recess of

Congress, to be denominated "a Committee of the States," and to consist of one delegate from each State; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States, under their direction; to appoint one of their number to preside, provided, that no person be allowed to serve in the office of President more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses; to borrow money, or emit bills on the credit of the United States, transmitting every half year to the respective States, an account of the sums of money so borrowed or emitted; to build and equip a navy; to agree upon the number of land forces, and to make requisitions from each State for its quota, in proportion to the number of white inhabitants in such State; which requisition shall be binding; and thereupon the legislature of each State shall appoint the regimental officers, raise the men, and clothe, arm and equip them, in a soldierlike manner, at the expense of the United States; and the officers and men so clothed, armed and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled: But if the United States in Congress assembled shall, on consideration of circumstances, judge proper that any State should not raise men, or should raise a smaller number than its quota, and that any other State should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed and equipped, in the same manner as the quota of such State, unless the legislature of such State shall judge that such extra number cannot be safely spared out of the same: in which case they shall raise, officer, clothe, arm and equip as many of such extra number, as they judge can be safely spared. And the officers and men so clothed, armed and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled, shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defence and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine States assent to the same: nor shall any question on any other point, except for adjourning from day to day be determined, unless by the votes of a majority of the United States in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the Journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations, as in their judgment require secrecy, and the yeas and nays of the delegates of each State on any questions shall be entered on the Journal, when it is desired by any delegate; and the delegates of a State, or any of them, at his or their request, shall be furnished with a transcript of the said Journal, except such parts as are above excepted, to lay before the legislatures of the several States.

10th. The Committee of the States, or any nine of them, shall be authorised to execute, in the recess of Congress, such of the powers of Congress, as the United States in Congress assembled, by the consent of nine States, shall, from time to time, think expedient to vest them with; provided, that no power be delegated to the said Committee, for the exercise of which, by the articles of confederation, the voice of nine States in the Congress of the United States assembled, is requisite.

11th. Canada, acceding to this confederation, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union; but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

12th. All bills of credit emitted, monies borrowed and debts contracted by, or under the authority of Congress, before the assembling of the United States in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof, the said United States, and the public faith are hereby solemnly pledged.

13th. Every State shall abide by the determinations of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the articles of this confederation shall be inviolably observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them, unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every State.

These articles shall be proposed to the legislatures of all the United States, to be considered, and if approved of by them, they are advised to authorise their delegates to ratify the same in the Congress of the United States; which being done, the same shall become conclusive.

*Ordered*, That the said articles and address do lie upon the table, to be perused by the members of the House. The Speaker laid before the House several resolutions of Congress of the 22d day of November last.

And the said resolutions were read.

*Ordered*, That the said resolutions be referred to the committee of the whole House, to whom the letters from the Governor, which with several other papers, which were ordered to lie upon the table, were referred.

*Ordered*, That the Governor be desired immediately to order such naval protection to the inhabitants on Potomac river as the state of the navy will admit, and to request the like assistance from the Governor of Maryland.

*Ordered*, That Mr. Carter do wait upon the Governor with the said order.

A message from the Senate by Mr. Cabell:



**MR. SPEAKER,**—The Senate have agreed to the resolution of this House, empowering the auditors to make a further allowance for wagons and teams impressed into the service for the use of the militia since the 15th day of August last. And then he withdrew.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of three commissioners on behalf of this Commonwealth, to meet commissioners to be appointed by the State of Maryland, to consider of the most proper means to adjust and confirm the rights of each to the use and navigation of, and jurisdiction over, the Bay of Chesapeake and the Rivers Potomac and Pocomoke.

*Ordered*, That General Nelson, do acquaint the Senate therewith.

A message from the Senate by Mr. Jones:

**MR. SPEAKER,**—The Senate will, to-morrow, proceed by joint ballot with this House, to the choice of three commissioners to meet commissioners to be appointed by the State of Maryland, to consider of the most proper means to adjust and confirm the rights of each to the use and navigation of, and jurisdiction over, the Bay of Chesapeake, and the rivers Potomac and Pocomoke. And then he withdrew.

A petition of Richard Morris was presented to the House, and read; setting forth, that in the year 1776, being employed as assistant commissary to the troops in this State, and finding it very difficult to hire horses for every occasion, he made use of a horse of his own, who by accident had one of his legs broken while in the said service, and shortly after died; and therefore praying, that he may be allowed the value of the said horse.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Mourning Savidge, widow of Philip Savidge, was presented to the House, and read; setting forth, that her husband having enlisted in Capt. Watkins's company, marched to the northward and there died, leaving the petitioner destitute of every necessary of life; and therefore praying such relief, as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Mildred Williams, was presented to the House, and read; setting forth, that her husband Lewis Williams, having enlisted as a soldier in Capt. Watkins's company, of the fourth regiment, marched to the northward and there died, leaving the petitioner, with five small children, destitute of every necessary of life; and therefore praying relief.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Hannah Moody, was presented to the House, and read; setting forth, that her husband, Samuel Moody, having enlisted as a soldier in Capt. Watkins's company of regulars, marched to the northward and there died, leaving the petitioner, with three small children, in very deplorable circumstances; and therefore praying relief.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Carrington:

**MR. SPEAKER,**—The Senate desire a present conference with this House, on the subject matter of the last conference, and have appointed four of their members to manage the conference, who are now in the conference chamber ready to meet the managers of this House. And then he withdrew.

*Resolved*, That this House doth agree to the conference desired by the Senate.

*Resolved*, That Messrs. Bullitt, Hugh Nelson, Griffin, Carrington, Meriwether and Richard Lee, do manage the conference.

And the names of the managers were called over,

And they went to the conference;

And being returned;

Mr. Bullitt reported, that the managers of the Senate had left with them, a written answer to what was offered by the managers of this House to the Senate, at the last conference;

And he delivered the said answer in at the clerk's table, where the same was read, and is as followeth, viz:

The Senate wish to have their institution clearly understood, and the bounds of their authority marked, satisfied that a wide door must stand open to contest, were this not to be the case. They prize very highly the harmony so justly valued by the House of Delegates; whilst that reigns, the public happiness will probably be most effectually sustained.

This principle, so useful in the conduct of affairs, will be best preserved by a firm adherence to rules already adopted. It was not apprehended a difference of opinion could arise upon a point, which the concurring judgment of both Houses had seemed to fix beyond the possibility of a doubt. No point of the Constitution, it was conceived, could be fixed with more precision than what an uninterrupted chain of precedents had ascertained, and those begun by the very persons who formed the government, and who certainly knew, in what sense they employed the words in which it was declared. A departure from this high authority, can serve only to introduce uncertainty into every part of the system; nor will the matter be mended, by a reference to those multiplied disputes, which have for ages agitated the Parliament of England, and which no time will decide: we find the Commons, so low down as the year



1671, obliged to assert their rights in these words: "That in all aids given to the King by the Commons, the rate or tax ought not to be altered by the Lords." This would be to prove what is clear by what is very obscure, to unsettle what is fixed, and to set up the Parliament of England, not our own Assembly, as the expositor of our Constitution. Nor will it avail to have recourse to the proceedings of Assembly, during the regal government, since the subjoined precedents will shew that the King's council was allowed, by the House of Burgesses, to alter and amend those bills which concerned the application of public money. The great outlines of the British Constitution, are to be discerned in the frame of our government; yet, when the constituent parts of our Legislatures are compared, so faint is the resemblance, that no ground remains for those jealousies, which have continually prompted the attempts of the Commons against the other House.

In the political system of England you find a king, lords, and the representatives of the people, called the Commons. The first, claiming and frequently exercising powers and prerogatives, which carried destruction to all the rights of a free people. The second, an order of men distinct from their fellow subjects, possessing titles and dignities which flowed to them from the crown, and which therefore inclined them to the side of royalty. The third, composed of the humble Commons, at first scarce pretending to any thing, and enjoying even the liberty of speech by permission, but in the course of time growing gradually into importance by a prudent management of the purse of their constituents. In our legislature can be perceived only the representatives of the people, separated into two bodies, and mutually endeavoring to exercise faithfully their delegated power. In the one case, the guardians of the people could oppose no other barrier to the encroachments of arbitrary power: it was the single method by which they could gently admonish and reclaim the offending monarch, by withholding supplies until grievances were redressed; they say themselves, the poor Commons could no otherwise recommend themselves to the king. The House of Delegates, the representatives of a brave, free, and sensible people, have no earthly being to render propitious: they happily have only to approve themselves to heaven and their constituents. The framers of our Constitution knew well that the application of public money would, of necessity, be branched and interwoven with a great variety of legal regulations, which it was never meant to deny the Senate a power to alter or amend. They, therefore, with great propriety, selected from the language of parliament the term "money bill," under which appellation are included, according to the celebrated Judge Blackstone, in his Commentaries of the laws of England, all bills by which money is directed to be raised upon the subject. These being considered, we hope the House of Delegates will approve of the amendment of the Senate to their resolution for allowing to Thomas Johnson the sum of 15*l.* 5*s.* 6*d.*

Journal of House of Burgesses, 1770, page 267, amendments to tobacco law.

1771, page 101, 114, amendments to fee bill.

1772, page 160, do. to tobacco law.

1773, page 64, 65, do. to light house bill.

Debates in Parliament, in 1671, page 443, resolution of Commons about money bills.

Blackstone's Commentaries, vol. 1, page 170, explanation of the term "money bills."

*Ordered*, That a committee be appointed to examine into the state of the navy, and that they report the matter, as it shall appear to them, to the House.

A committee was appointed, of Messrs. Gen. Nelson, George Mason, Carter, Norvell, Fitzhugh, Robinson, and Harrison of Charles City.

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie on the table.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the motion, "that a supply be provided for the public exigencies."

*Resolved*, That this House will, on Thursday next, resolve itself into a committee of the whole House, to consider of the bill "to prevent forestalling, engrossing and regrating."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "to prohibit the importation of slaves."

*Ordered*, That the order that the House be called over, be adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, December 10, 1777.

*Ordered*, That Messrs. Tipton, Pettus and Cabell, have leave to be absent from the service of this House, for the remainder of the session.

*Ordered*, That the order, that the House be called over, be further adjourned till to-morrow.

A message from the Senate by Mr. Rutherford:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, appointing Thomas Adams, Esq. a delegate to represent this Commonwealth in General Congress, in the room of Joseph Jones, Esq. And then he withdrew.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the letters from the Governor, which, with several other papers, were ordered to lie upon the table,

The House resolved itself into the said committee.

Mr. Speaker left the chair,

Mr. Banister took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Banister reported from the committee, that they had come to several what were before resolutions, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved, that it is the opinion of this committee,* That the Governor be empowered, with the advice of the Council, to order such part of the militia of this Commonwealth as may be most convenient, and as they shall judge necessary, consistently with the security of this Commonwealth, to act with any troops on an expedition that may be undertaken against any of our western enemies.

*Resolved, that it is the opinion of this committee,* That the commissioners appointed by Congress, to repair to Fort Pitt, in order to investigate the rise, progress and extent of the disaffection in that quarter, be empowered to apprehend such inhabitants of the counties of Ohio, Monongalia and Yohogania, as shall appear to have been concerned in any conspiracy or plot against the United States, and deliver them over to the proper civil officers to be prosecuted according to law.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That a bill or bills, be brought in pursuant to the said resolutions; and that Messrs. Banister, George Mason, Pendleton, Harrison of Charles City, and Bullitt, do prepare and bring in the same.

Mr. Banister also acquainted the House, that he was directed by the committee to move that they may have leave to sit again.

*Resolved,* That this House will, on Monday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

A petition of Edward Archer was presented to the House, and read; setting forth, that in the month of September, 1775, Lord Dunmore piratically seized and disposed of a vessel, with a valuable negro man slave on board, the property of the petitioner; and praying he may be allowed satisfaction for the same out of the estate of the said Lord Dunmore, in proportion with his other creditors.

*Ordered,* That the said petition be referred to the committee of Public Claims, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Thomas Veale, Henry Culpeper, John Letto and Arthur Butt, was presented to the House, and read; setting forth, that the houses of the petitioners in the town of Portsmouth, were taken and occupied for the troops stationed there for a considerable time, and have sustained very considerable damage thereby, for which they have received no satisfaction; and praying to be allowed such reasonable rent for their said houses, and compensation for the damages aforesaid, as shall be thought just and reasonable.

*Ordered,* That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Loudoun, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they have been involved in particular hardships, by the law allowing to militia men an exemption from draughts and militia duties, on procuring a substitute to enter into the continental army; many of them upon hearing of this law, and before it was published, having parted with valuable servants; and others having purchased servants at great prices to put into the army, who were received by the recruiting officers, and for whom certificates of exemption were granted to the petitioners; but that the courts martial have since refused to allow the exemptions, by which means the petitioners will have contributed to fill up the army without being likely to receive any benefit thereby; and that they conceive the enlistment of apprentices, without making their masters any satisfaction, to be unequal and unjust; and therefore praying such relief, as shall be thought just and reasonable.

*Ordered,* That the said petition be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Francis Meriwether was presented to the House, and read; setting forth, that in the year 1773, he contracted with one William Reid, factor and agent for Andrew Cochran Cunningham and Company, merchants in Glasgow, for a tract of land in the county of Spotsylvania, for the consideration of three hundred pounds; that he hath applied to the said Reid, as also to James Robeson another factor for the said company; for a title to the said lands, offering at the same time to pay the purchase money aforesaid; but that they declined making him a title, and soon afterwards left the country; and therefore praying that the said sum of 300*l.* may be received into the public treasury, and his title to the land aforesaid confirmed.

And the question being put that the said petition be referred to the consideration of a committee,

It passed in the negative.

A petition of David Gould was presented to the House, and read; setting forth, that he furnished a certain Hugh M. Gary, who was going express, from the county of Kentucky to fort Pitt, with a valuable horse, at the price of 50*l.*



on account of the Commonwealth, no part of which he hath yet received; and therefore praying to be allowed the said sum of money.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A representation from the vestry of the parish of Littleton, in the county of Cumberland, was presented to the House, and read; setting forth, that at the time of passing the act of Assembly "for exempting dissenters from contributing to the support of the church," there were several sums of money in the hands of the collector of the said parish for the years 1773 and 1774, and also a considerable quantity of tobacco for the year 1776 which had not been sold; and, that after complying with all contracts, there now remains in hand, a balance of 109*l*. 8*s*. 11-4*d*. besides two hogshheads of tobacco not yet carried to inspection; that sometime after passing the act of Assembly aforesaid, the vestry met to lay the levy, when it was their opinion that the balance aforesaid could not be applied towards lessening the levy, but ought to be reserved for the use of the church agreeable to the fourth clause of the said act, and expected the same should be applied towards furnishing a church which was then begun; but that there being various opinions concerning the application thereof, they pray to be advised and directed by the Assembly touching the same.

*Ordered*, That the said representation be referred to the committee for Religion; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Margaret Hambleton was presented to the House, and read; setting forth, that her husband, David Hambleton, enlisted with Capt. Francis Willis of Col. Grayson's regiment, and was unfortunately slain at the battle of Brandywine, leaving the petitioner, with five small children, in very low circumstances; and therefore praying relief.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Mary Fig and Jane Buck was presented to the House, and read; setting forth, that their husbands enlisted in the service of the country in Capt. Nelson's company of infantry, and marched with the regiment to which they belonged to the northward, where they both died in the month of February last, leaving the petitioners in distressed circumstances, and praying relief.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Lyne, from the committee to whom the memorial of the officers of the Virginia continental troops was referred, reported that the committee had examined the matter of the said memorial, and had directed him to report the same as it appeared to them, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as follows:

It appears to your committee, that the widow of the late Lieut. Col. Sears, who fell at the battle of German Town, is left in very necessitous circumstances, the estate of her deceased husband not being more than sufficient to pay his debts; that she has three young children who depend on her industry for their support; that at the time Col. Sears was slain, he was possessed of a valuable horse, pistols, sword, and some cash, which fell into the hands of the enemy.

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the sum of 200*l*. be allowed to Mrs. Sears for the present relief of herself and her children, which ought to be charged to the Continent; and that their situation be represented to Congress.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lyne do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That Isaac Shelby, Daniel Smith and Isaac Bledsoe, gentlemen, be, and they are hereby appointed commissioners for examining into, stating, and adjusting, the claims of John Carmack, Ezekiel Smith, John Looney and Jonathan Drake, for their pay as guards to sundry horses and cattle belonging to the Commonwealth, according to their agreements with Thomas Madison, gentleman, in whose custody the said stocks were, as public commissary; and that they be instructed to allow the claimants, the price per day which Mr. Madison agreed to give them, each, for so many days as they shall prove they were respectively necessarily employed therein; and that the treasurer shall pay the money for the amount of the said claims, as the same shall be certified by the said commissioners, or any two of them, to be justly due.

*Ordered*, That Mr. Bledsoe do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill, or bills, pursuant to the resolutions of the committee of Propositions and Grievances, yesterday reported and agreed to by the House, that they have power to receive a clause or clauses, for making each of the new counties, to be taken out of the counties of Augusta and Botetourt, a distinct parish; and also for adjourning the suits depending in the court of Augusta, between parties who reside in the new counties, in which there have been no proceedings into the courts of such new counties respectively.

The order of the day being read, for the House to proceed by joint ballot with the Senate, to the choice of three commissioners on behalf of this Commonwealth, to meet commissioners to be appointed by the State of Maryland, to consider of the most proper means to adjust, and confirm the rights of each, to the use, and navigation of, and



jurisdiction over, the Bay of Chesapeake, and the rivers Potomac and Pocomoke; the House nominated three persons to be appointed commissioners.

*Ordered*, That Mr. Carter do carry a list of the persons so nominated to the Senate.

A message from the Senate by Mr. Carrington:

MR. SPEAKER.—The Senate have no persons to add to the list of those nominated by this House, to meet commissioners from the State of Maryland, in order to adjust the rights of the use, and navigation of, and jurisdiction over, the Bay of Chesapeake, and the rivers Potomac and Pocomoke; and are therefore willing that the persons so nominated, be appointed commissioners for those purposes without balloting. And then he withdrew.

*Resolved*, That George Mason, Thomas Ludwell Lee and James Henry, Esquires, be appointed commissioners on behalf of this Commonwealth, to meet commissioners to be appointed by the State of Maryland, to consider of the most proper means to adjust and confirm the rights of each, to the use and navigation of, and jurisdiction over, the Bay of Chesapeake, and the rivers Potomac and Pocomoke; and that they report their proceedings to the General Assembly.

*Ordered*, That Mr. Carter do carry the resolution to the Senate, and desire their concurrence. *Sec. 20.*

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

General Nelson took the chair of the committee.

Mr. Speaker resumed the chair.

General Nelson reported from the committee, that they had made a farther progress in the matters to them referred, and had directed him to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies."

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, December 11, 1777.

*Ordered*, That Mr. Gabriel Penn, have leave to be absent from the service of this House, for the remainder of the session.

*Ordered*, That it be an instruction to the gentlemen appointed to prepare and bring in a bill or bills, pursuant to the resolutions of the committee of the whole House, on the state of the army, reported on the 4th day of this month, and agreed to by the House, that they have power to receive a clause or clauses, to authorise the several county courts to make a reasonable provision at the public expense, for the widows of soldiers who have died or been slain in the service of this Commonwealth or the United American States, and who have received no assistance from the General Assembly; and for payment thereof, to draw upon the treasurer for the time being.

A petition of Anthony Bledsoe, was presented to the House, and read; setting forth, that in the month of September, 1776, he entered two wagons in the service of the public, to convey the baggage and provisions for the troops under the command of Col. Russell, to the great Island on Holston's river, which were continued in the service until the 5th of November; that on the return of the troops from the Cherokee expedition, under the command of Col. Christian, those wagons were ordered to convey the baggage of two companies to Bedford; and the petitioner entered another wagon, to assist in getting fire-wood and timber to fort Patrick Henry, which was continued in that business till April; that he charged 14s. 6d. per day for each of his said wagons whilst employed at the fort aforesaid, and 14s. 6d. for every fifteen miles they travelled, according to the rules established for wagoners on the Cherokee expedition, whilst employed in conveying the baggage to Bedford; and laid his accounts before the auditors, who deducted one-seventh part for Sundays from his charge, for the wagons employed at the fort, and allowed only 14s. 6d. for every 25 miles for those otherwise employed, which he conceives to be unjust; and therefore, praying such further allowance as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That it be an instruction to the gentlemen, to whom the bill "for continuing an act, entitled an act, for the more regular laying off the borough of Norfolk;" an act "entitled an act, for appointing commissioners to enquire into, and ascertain the losses sustained by the late inhabitants of Norfolk," is committed; that they have power to receive a clause or clauses authorising the commissioners to enquire into the damages sustained by the burning of any houses in the town of Portsmouth by the troops of this Commonwealth, and the damages to the proprietors of

any houses used as barracks by the said troops in the said town, and at the Great Bridge in the county of Norfolk, in the same manner; and to make the like report as was directed in the case of property in the town of Norfolk.

*Resolved*, That the auditors of Public Accounts be directed to allow the claims of the second lieutenants, belonging to such companies of militia, lately ordered into service, as did not consist of sixty eight men rank and file.

Mr. Lyne presented to the House, according to order, a bill "to regulate the allowance to the members of the General Assembly."

And the same was received and read the first time.

And the question being put, that the bill be read a second time,

It passed in the negative.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the motion "that a supply be provided for the public exigencies;"

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

General Nelson took the chair of the committee.

Mr. Speaker resumed the chair.

General Nelson reported from the committee, that they had made a farther progress in the matters to them referred; and that he was directed by the committee to move, that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies."

An address of sundry inhabitants of the county of Lunenburg, all adult persons, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the undue means taken to overthrow the established church, by imposing upon the credulity of the vulgar, and engaging infants to sign petitions handed about by dissenters, have so far succeeded as to cause a dissolution of our usual mode of support, when they would choose it should rest in the present exigency of affairs, rather than by strenuously insisting upon the rectitude of an establishment throw this State in particular, into commotion, and thereby prejudice the common cause, which they are resolved shall receive no detriment from them by any means whatever; that, if only withholding from a competent number of Ministers of the Gospel, fixed salaries, is the most likely means to make men unanimous in the defence of liberty, as hath been urged, they should be sorry indeed if there could be one of that reverend order, who would repine at the success of the measure: for that even an unwillingness to sacrifice a part of our property to the good of our country, much more an absolute refusal of it, is a poor argument indeed of our disinterested zeal for the Commonwealth. Wherefore, they should by no means wish to see churchmen adopt the principles of dissenters, by withholding their concurrence in the common cause, until their particular requests are granted, as, by such conduct, all may be lost; that, notwithstanding they think an established church in any State, under proper limitations and restrictions, and founded on the warrant of Holy Scripture, is one of the greatest bulwarks of liberty, the cement of society, the bond of union, and an asylum for the persecuted to fly to; yet, as this is a controverted point, they are willing it should be debated at a time when there may be nothing of more importance to engage the attention of the Assembly.

*Ordered*, That the said address be referred to the committee for Religion; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The Speaker laid before the House a letter from the Governor, enclosing a resolution of the General Congress recommending the appointment of proper persons to re-enlist the soldiers of the first nine Virginia regiments.

And the said letter and resolution was read.

*Ordered*, That the said letter and resolution do lie upon the table.

A memorial of Dorsey Penticost was presented to the House, and read; setting forth, that he was almost constantly employed from the 9th of September, 1776, to the 1st of January following, in the public service as county lieutenant for the district of West Augusta, and was at considerable expense in regulating and attending the necessary business of the militia in a country so extensive and exposed to the incursions of the Indians; and that he also attended Mr. Thomas Brown, 18 days, in adjusting and settling the public accounts that year; by all which he sustained considerable injuries in his private affairs; and therefore praying such compensation for his services as may be just and reasonable.

*Ordered*, That the said memorial be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the Speaker be desired to issue a writ, for electing a delegate for the county of Charlotte, in the room of James Speed, Esq. who hath accepted the office of under sheriff of the said county.

The other orders of the day being read;

*Resolved*, That this House will, on Saturday next, resolve itself into a committee of the whole House, to consider of the bill "to prevent forestalling, engrossing, and regrading."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

*Ordered*, That the order that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.



FRIDAY, December 12, 1777.

Although it is the wish of the General Assembly, that the representation of this Commonwealth in Congress, should consist of three members at least; yet, as it may sometimes happen, from unforeseen accidents, that three may not be present, and the State thereby unrepresented,

*Resolved, therefore,* That from this time until the end of two months after the expiration of this session of Assembly, any two of the delegates from this Commonwealth be empowered to give the vote of this State on any question in Congress, whenever there shall happen to be none other of the said delegates attending.

*Ordered,* That Mr. Jefferson do carry the resolution to the Senate, and desire their concurrence.

*Ordered,* That Messrs. Harrison of Charles City, Gen. Nelson, and Crockett, have leave to be absent from the service of this House until Monday next; and Messrs. Abraham Penn and Kannon, for the remainder of the session.

Several petitions of sundry inhabitants of the county of Halifax, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that animosities have subsisted between the inhabitants of the said county who live on Dan river and those on Staunton, ever since it was divided from Pittsylvania, about the situation of the courthouse, and are likely to continue till the county is divided, which is universally desired by the inhabitants; and therefore, praying a division of the said county, by Dan river, from its confluence with Staunton to the mouth of Banister: thence up the same to the mouth of Sandy Creek, and up the same until it intersects the dividing line between the said county and the county of Halifax.

And the question being put, that the said petition be referred to the consideration of the next session of Assembly, It was resolved in the affirmative.

*Resolved,* That the Governor and Council be desired to procure, with all convenient despatch, twenty thousand stand of good arms for the use of the militia of this Commonwealth; which shall be lodged in different magazines and kept ready for service upon all occasions.

*Ordered,* That General Nelson do carry the resolution to the Senate, and desire their concurrence.

*Ordered,* That it be an instruction to the committee of Propositions and Grievances, who are directed to prepare and bring in a bill or bills "for making several new counties out of the counties of Augusta and Botetpurt," that they have power to receive a clause or clauses, for altering the court day of the county of Dunmore, and for changing the name of the said county.

Mr. Bullitt presented to the House, according to order, a bill "for dissolving the vestry of the parish of Christ Church in the county of Lancaster;" and the same was received, and read the first time.

*Resolved,* That the bill be read a second time.

Mr. Cowper presented to the House, according to order, a bill "for establishing a warehouse for the reception of tobacco at South Quay, in Nansemond county;" and the same was received, and read the first time.

*Resolved,* That the bill be read a second time.

Mr. Winslow reported from the committee, to whom the bill "to empower the trustees and feoffees of the town of Fredericksburg, to assess the expense of keeping the streets of the said town in repair, on the inhabitants thereof," was committed, that the committee had examined the allegations of the bill, and found the same to be true; and that the committee had directed him to report the bill to the House without any amendment; and he delivered the bill in at the clerk's table.

*Ordered,* That the bill be engrossed.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the motion "that a supply be provided for the public exigencies,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

General Nelson took the chair of the committee.

Mr. Speaker resumed the chair.

General Nelson reported from the committee, that they had come to several resolutions, which they had directed him to report when the House will please receive the same.

*Ordered,* That the report be received to-morrow.

*Ordered,* That the order that the House be called over, be further adjourned till to-morrow.

*Ordered,* That the petition of Nathaniel Littleton Savage, presented at the last session of Assembly, and referred to the committee of the whole House on the state of the Commonwealth, be referred to the committee to whom the report of the commissioners appointed to inquire into, and ascertain the losses sustained by the late inhabitants of Norfolk.

*Ordered,* That Mr. Henry have leave to be absent from the service of this House, until the first day of January next.

And then the House adjourned till to-morrow morning, 10 o'clock.



SATURDAY, December 13, 1777.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for allowing Robert Barnett, 20*l.* James Kincannon, 13*l.*; Evan Shelby, 15*l.*; William Sayers, 12*l.*; and to Lazarus Benton, 20*l.* per annum, during life. And also,

The Senate have agreed to the resolution for allowing to Anne Hayes, 20*l.* for her present relief, and 5*l.* per annum, for three years, with several amendments; to which amendments, the Senate desire the concurrence of this House. And then he withdrew.

General Nelson, according to order, reported from the committee of the whole House, to whom it was referred to consider further of the motion "that a supply be provided for the public exigencies," the resolutions which the committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the clerk's table, where the same were read, and are as followeth, viz:

*Resolved, that it is the opinion of this committee,* That for the better supporting the credit of the paper money issued by authority of this Commonwealth for the ease of the inhabitants in discharging the expenses of the war, and the contingencies of government, and for the more punctual payment of this State's proportion of the continental expenses, it is expedient and necessary, that some farther and adequate provision should be made.

*Resolved, that it is the opinion of this committee,* That a tax be imposed upon all manors, messuages, lands, and tenements in this Commonwealth (except such as belong to the Commonwealth, or any county, parish, town, church, meeting house, college or school,) of ten shillings for every hundred pounds value thereof, as the same shall be estimated by assessors, to be for that purpose appointed.

*Resolved, that it is the opinion of this committee,* That a tax be imposed upon all slaves and mulatto servants, till 31 years of age, in this Commonwealth (except such as belong to the Commonwealth, or any county, religious society, town, college or school,) of ten shillings for every hundred pounds of the value thereof.

*Resolved, that it is the opinion of this committee,* That a tax be imposed upon all horses, asses, mules and neat cattle within this Commonwealth (except such as belong to the United States of America, the Commonwealth, or to any college or school,) after the rate of ten shillings for every hundred pounds of the value of the same.

*Resolved, that it is the opinion of this committee,* That a tax be imposed upon all plate and money exceeding the sum of five pounds in the hands of any one person, after the rate of ten shillings upon every hundred pounds of the value thereof, except such as belong to the United States of America or this Commonwealth, or to any county, parish, town, church, college or school.

*Resolved, that it is the opinion of this committee,* That a tax be imposed upon all debts, bearing interest of two shillings in the pound of the true yearly value thereof.

*Resolved, that it is the opinion of this committee,* That a tax of ten shillings a wheel, be imposed upon all riding carriages.

*Resolved, that it is the opinion of this committee,* That a tax of five shillings, be imposed upon every dog above the age of three months within this State, except three dogs on each plantation, which shall be exempt from the aforesaid tax.

*Resolved, that it is the opinion of this committee,* That a tax of three pounds, be imposed upon ordinary licenses.

*Resolved, that it is the opinion of this committee,* That a tax of twenty shillings, be imposed upon every marriage license.

*Resolved, that it is the opinion of this committee,* That a tax of two shillings in the pound, be imposed upon annuities, and ten shillings in the hundred pounds upon salaries, according to the amount of such annuities and salaries; and ten shillings in the hundred pounds upon offices of profit, according to the nett income thereof, those of the military and sea officers in the service of the United States of America, or any of them, in respect of their employments, excepted.

*Resolved, that it is the opinion of this committee,* That a tax of one shilling per gallon, be imposed upon all spirituous liquors distilled within this Commonwealth; and that a duty of one shilling per gallon be imposed upon spirituous liquors made or distilled in any of the United American States, and imported into this Commonwealth by land or water, such only excepted as shall be bonafide purchased for the use of the army or navy.

*Resolved, that it is the opinion of this committee,* That a duty of ten shillings per hogshead, be imposed upon all tobacco exported by land or water, except such as shall be exported on the proper account of this Commonwealth, or the United American States, or any of them.

*Resolved, that it is the opinion of this committee,* That a duty be imposed upon goods and merchandize imported not of the growth or manufactory of any of the other United States of America, except salt, brown sugar, molasses, military and naval stores, coarse woollens, coarse shoes and stockings, cotton and wool cards, card wire, steel and medicines, papers, bullion and specie.

*Resolved, that it is the opinion of this committee,* That a tax of five shillings, be imposed upon all tithables within this Commonwealth, above the age of twenty one years, except soldiers, sailors, parish poor, and the persons receiving an annual allowance in consideration of wounds or injuries received in the public service, and slaves.

*Resolved, that it is the opinion of this committee,* That part of the unappropriated lands be disposed of, and the

money arising therefrom, applied in aid of the funds to be provided for discharging the public debt, and that a land office be established for granting waste and unappropriated lands.

*Resolved, that it is the opinion of this committee,* That the several taxes and duties before described, be collected and paid in the year 1778, and in each of the next six succeeding years.

*Resolved, that it is the opinion of this committee,* That the land and poll tax and all other taxes and duties imposed by any ordinance of convention, or act of Assembly, and directed to be paid in the year 1778, or either of the next six succeeding years, ought to cease.

*Resolved, that it is the opinion of this committee,* That the General Assembly ought to make good the deficiency in the taxes now to be levied, collected and paid, to effect the purpose intended, by imposing farther taxes and duties, or providing other adequate funds, if the same be necessary.

The 1st, 2d, 3d, 4th, 5th, 6th, 7th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th and 19th resolutions of the committee being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 8th resolution of the committee being read a second time; and the question being put, that the House doth agree with the committee in the said resolution,

It passed in the negative.

*Ordered,* That a bill or bills, be brought in pursuant to the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th and 19th resolutions of the committee, and that Messrs. General Nelson, George Mason, Pendleton, Nicholas, Jefferson, Zane, Bullitt, Braxton and Lyne, do prepare and bring in the same.

*Ordered,* That Mr. Harwood have leave to be absent from the service of this House until Tuesday next. Mr. Glenn until the 5th of January next, and Mr. Taylor for the remainder of the session.

*Ordered,* That leave be given to bring in a bill "for the election of a vestry for the parish of Meherrin, in the county of Brunswick;" and that Messrs. Tazewell and Terry do prepare and bring in the same.

*Ordered,* That the bill "for dissolving the vestry of the parish of Christ church, in the county of Lancaster," be read a second time on Monday fortnight next.

*Resolved,* That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the articles of confederation proposed to be entered into by the United States of America, with an address to the several States on the subject thereof, which on Thursday last were ordered to lie on the table.

The other orders of the day being read,

*Resolved,* That this House will, on Wednesday next, resolve itself into a committee of the whole House, on the bill "to amend an act, entitled 'an act to support the credit of the money issued by the authority of Congress and by authority of this Commonwealth, and to make the former current within this Commonwealth.'"

*Resolved,* That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill "to prevent forestalling, engrossing and regrating."

*Ordered,* That the order that the House be called over, be further adjourned till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

## MONDAY, December 15, 1777.

A message from the Senate by Mr. Carrington:

Mr. SPEAKER,—The Senate have agreed to the resolution of this House, for appointing John Banister, Esq. a delegate to represent this State in General Congress in the room of Mann Page, jun. Esq. And then he withdrew.

Mr. Carter presented to the House, according to order, a bill "for speedily recruiting the Virginia regiments on the continental establishment;" and the same was received and read the first time.

*Resolved,* That the bill be read a second time.

A message from the Senate by Mr. Walker:

Mr. SPEAKER,—The Senate have agreed to the resolution of this House, for paying Thomas Chiles the several sums of 35*l.* and 9*l.* 13*s.* 10*d.*, upon the condition therein mentioned. And then he withdrew.

Mr. Richard Lee reported, from the committee of Public Claims, to whom it was referred to state an account of the expenses incurred by sending for the members who were absent when the House was called over on the twenty-second day of October last, that the committee had stated an account accordingly; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

For sending for Mr. Edmund Ruffin, jun.

Mr. Joseph Speed,

Mr. Henry Deloney,

Mr. William Hubard,

Mr. Charles Lynch,

Mr. Joseph Carrington,

Mr. Beverley Randolph,

} 1*l.* 4*s.* 0*d.* each,

- - - £8 8 0

Amount carried forward,

- - - £8 8 0

Amount brought forward,				£8 8 0
Mr. Peter Perkins,	-	-	-	5 2 4
Mr. Richard Adams,	} 1l. 9s. 9d. each,	-	-	7 8 9
Mr. John Woodson,		-	-	
Mr. Birkitt Davenport,		-	-	
Mr. Isaac Zane,		-	-	
Mr. George Thornton,		-	-	
Mr. John S. Wills,	} 13s. 8 1-4d. each,	-	-	3 8 5 1-4
Mr. Charles Fulgham,		-	-	
Mr. William Robinson,		-	-	
Mr. Willis Riddick,		-	-	
Mr. William Cowper,		-	-	
Mr. Carter Braxton,	} 16s 10 3-4d. each,	-	-	6 15 2 1-2
Mr. Dandridge Claiborne		-	-	
Mr. James Montague,		-	-	
Mr. John Edmondson,		-	-	
Mr. Charles Carter,		-	-	
Mr. Philip Alexander,		-	-	
Mr. Cuthbert Bullitt,		-	-	
Mr. Wm. Smith of Essex,		-	-	

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£31 2 9 1-4

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Expenses incurred by sending for the following members who were excused:

For Mr. John Glenn,	-	-	£1 4 0
Mr. Thomas Pettus,	-	-	1 4 0
Mr. John Cabell,	-	-	1 4 0
Mr. Thomas Napier,	-	-	1 4 0
Mr. Robert Hairstone,	-	-	5 2 4
Mr. John Bowyer,	-	-	5 2 4
Mr. Beverley Winston,	-	-	1 9 9
Mr. William Moore,	-	-	1 9 9
Mr. Abraham Bird,	-	-	1 9 9
Mr. Beverley Daniel,	-	-	16 10 3-4
Mr. Daniel Muse,	-	-	16 10 3-4
Mr. William Eskridge,	-	-	16 10 3-4
Mr. William Smith of Richmond,	-	-	16 10 3-4
Mr. George Mason,	-	-	16 10 3-4
Mr. Thompson Mason,	-	-	16 10 3-4

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£24 11 3 1-2

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*Ordered*, That it be an instruction to the committee of Public Claims, that they levy in the book of claims the said sum of 31l. 2s. 9 1-4d., upon the said Edmund Ruffin, jun. Joseph Speed, Henry Deloney, William Hubbard, Charles Lynch, Joseph Carrington, Beverley Randolph, Peter Perkins, Richard Adams, John Woodson, Birkitt Davenport, Isaac Zane, George Thornton, John S. Wills, Charles Fulgham, William Robinson, Willis Riddick, William Cowper, Carter Braxton, Dandridge Claiborne, James Montague, John Edmondson, Charles Carter, Philip Alexander, Cuthbert Bullitt, and William Smith of Essex, according to the proportions therein stated.

*Resolved*, That the said sum of 24l. 11s. 3 1-2d. be defrayed by the public.

*Ordered*, That Mr. Richard Lee do carry the said resolution to the Senate, and desire their concurrence.

Mr. Syme reported, from the committee to whom the bill "to empower the vestry of Saint Paul's parish, in the county of Hanover, to sell the glebe of the said parish, and to lay out the money in the purchase of a more convenient glebe," was committed, that the committee had examined the allegations of the bill, and found the same to be true; and that the committee had directed him to report the bill to the House, without any amendment; and he delivered the bill in at the clerk's table.

*Ordered*, That the bill be engrossed.

*Ordered*, That it be an instruction to the committee of Public Claims, that they levy in the book of Public Claims 1020 lbs. of tobacco on Thomas Reade, clerk of the county of Charlotte, and 1050 lbs. of tobacco on Mackeress Goode, sheriff of said county, which appears to have been overcharged by them in their accounts against the county of Charlotte.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the articles of confederation proposed to be entered into by the United States of America, with the address to the several States on the subject thereof,

The House resolved itself into the said committee.



Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported, from the committee, that they had come to several resolutions, which they had directed him to report to the House, and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz :

*Resolved, that it is the opinion of this committee,* That a speedy ratification of the articles of confederation between the United States of America, will confound the devices of their foreign, and frustrate the machinations of their domestic enemies, encourage their firm friends, and fix the wavering, contribute much to the support of their public credit and the restoration of the value of their paper money, produce unanimity in their councils at home, and add weight to their negotiations abroad, and completing the independence of their country establish the best foundation for its prosperity.

*Resolved, that it is the opinion of this committee,* That the articles of confederation and perpetual union, proposed by Congress the 17th day of November last, to be entered into between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, and referred for approbation to the consideration of the several legislatures of the said States, and on Tuesday last ordered to lie upon the table; ought to be approved and ratified on the part of this Commonwealth, and that our delegates in Congress be accordingly authorised and instructed to ratify the same, in the name and on the behalf of this Commonwealth; and that they attend for that purpose on or before the 10th day of March next.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House as followeth, viz :

*Resolved, nemine contra dicente,* That a speedy ratification of the articles of confederation between the United States of America, will confound the devices of their foreign, and frustrate the machinations of their domestic enemies; encourage their firm friends and fix the wavering, contribute much to the support of their public credit, and the restoration of the value of their paper money, produce unanimity in their councils at home, and add weight to their negotiations abroad, and completing the independence of their country establish the best foundation for its prosperity.

*Resolved, nemine contra dicente,* That the articles of confederation and perpetual union proposed by Congress the 17th of November last, between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, and referred for approbation to the consideration of the several legislatures of the said States, ought to be approved and ratified on the part of this Commonwealth; and that our delegates in Congress be accordingly authorised and instructed to ratify the same, in the name and on the behalf of this Commonwealth; and that they attend for that purpose on or before the 10th day of March next.

*Ordered,* That Mr. Carter do carry the said resolutions to the Senate, and desire their concurrence.

The other orders of the day being read;

*Resolved,* That this House will, on Thursday next, resolve itself into a committee of the whole House, to consider of the bill "to prohibit the importation of slaves."

*Resolved,* That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which with several other papers were ordered to lie on the table.

*Resolved,* That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."

*Resolved,* That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

*Ordered,* That the order that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

TUESDAY, December 16, 1777.

A message from the Senate by Mr. Henry Lee :

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, desiring the Governor and Council to procure arms for the use of the militia; directing the auditors of public accounts to allow the claims of the second lieutenants of the companies of militia, lately ordered into service; and empowering any two of the delegates from this Commonwealth to Congress, to give the vote of this State for a limited time. And then he withdrew.

Mr. Nicholas presented to the House, according to order, a bill "for dividing the counties of Augusta and Botetourt, and for other purposes;" and the same was received and read the first time;

*Resolved,* That the bill be read a second time.

Mr. Harrison presented to the House, according to order, a bill "for forming a new county out of the counties of Bedford and Henry;" and the same was received and read the first time;

*Resolved,* That the bill be read a second time.

*Ordered*, That leave be given to bring in a bill "for giving proper salaries to certain officers of government;" and that Messrs. Harrison of Charles City, and Jefferson, do prepare and bring in the same.

Mr. Tazewell presented to the House, according to order, a bill, "for dissolving the vestry of the parish of Meherrin, in the county of Brunswick;" and the same was received and read the first time;

*Resolved*, That the bill be read a second time.

A bill, "for speedily recruiting the Virginia regiments on the continental establishment," was read the second time;

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the said bill.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the letters from the Governor, which, with several other papers, were ordered to lie upon the table,

The House resolved itself into the said committee.

Mr. Speaker left the chair,

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported from the committee, that they had come to several other resolutions, which the committee had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the Governor be empowered, with the advice of the Council of State, to stipulate with Monsieur Bory on the terms he proposes, or any others more advantageous to the Commonwealth, for a battalion of troops, to be brought from abroad, to consist of not less than eight nor more than ten companies, of sixty-eight men, rank and file, each, with proper officers, to be subject to act in any part of America, either in the service of the Commonwealth or of the Continent, as shall be directed by the legislature or executive powers of this Commonwealth; and that the Governor and Council be desired to have the government and discipline of the said troops previously ascertained and rendered as conformable as possible to that of the continental troops.

*Resolved*, that it is the opinion of this committee, That the Governor and Council, in removing suspected persons at the time of the late invasion, consulted the safety of the State, and ought to be indemnified for the same.

*Resolved*, that it is the opinion of this committee, That the Governor and Council, in draughting a detachment of the militia of this Commonwealth and marching it to head quarters in the neighboring state of Pennsylvania, actually invaded by a foreign enemy, have acted according to the laws of this Commonwealth.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That a bill be brought in pursuant to the second resolution of the committee, and that Messrs. Carter, George Mason, Nicholas and Jefferson do prepare and bring in the same.

*Ordered*, That Mr. Carter do carry the first and third resolutions to the Senate, and desire their concurrence.

Mr. Carter also acquainted the House, that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

The other order of the day being read,

*Ordered*, That the order, that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY, December 17, 1777.

A message from the Senate by Mr. Bland:

MR. SPEAKER,—The Senate have agreed, *nemine contra dicente*, to the resolutions of this House, for approving the articles of confederation and perpetual union, proposed by Congress the 17th of November last, between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, and authorising and instructing our delegates in Congress to ratify the same. And also,

The Senate have agreed to the resolutions of this House for allowing Stephen Terry 25*l*. and Anne Matthews 20*l*.. And then he withdrew.

A bill, "for dividing the counties of Augusta and Botetourt, and for other purposes," was read a second time.

*Resolved*, That the bill be committed to Messrs. Bowyer, Lockheart, Poag, Harrison of Charles City, Carter, Jefferson, Neaville, Hite and Montgomery.

A bill, "for establishing a warehouse for the reception of tobacco at South Quay, in Nansemond county," was read the second time.

*Resolved*, That the bill be committed to Messrs. Riddick, Fulgham, Richard Lee, and Cowper.

An engrossed bill, "to empower the vestry of Saint Paul's parish in the county of Hanover, to sell the glebe of the said parish, and to lay out the money in the purchase of a more convenient glebe," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act to empower the vestry of the parish of Saint Paul, in the county of Hanover, to sell the glebe of the said parish, and to lay out the money in the purchase of a more convenient glebe."

*Ordered*, That Mr. Syme do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to empower the trustees and feoffees of the town of Fredericksburg, to assess the expense of keeping the streets of the said town in repair, on the inhabitants thereof," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act to empower the trustees and feoffees of the town of Fredericksburg, to assess the expense of keeping the streets of the said town in repair, on the inhabitants thereof."

*Ordered*, That Mr. Thornton do carry the bill to the Senate, and desire their concurrence.

The order of the day being read for the House to resolve itself into a committee of the whole House, to consider of the bill "for speedily recruiting the Virginia regiments on the continental establishment,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported from the committee, that they had made a progress in the bill, and that he was directed by the committee to move that they have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider farther of the said bill.

Mr. Harrison reported, from the committee of Propositions and Grievances, to whom the petition of divers inhabitants of the county of Yohogania was referred, that the committee had examined the matter of the said petition, and had directed him to report the same, as it appeared to them, together with the resolutions of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz :

It appears to your committee, from the deposition of Dorsey Penticost, clerk of the peace for the county of Yohogania, that he did, some time in the week after December court, 1776, enclose to the Governor the order of the said court, recommending Dorsey Penticost to the appointment of county lieutenant; John Cannon, colonel; Isaac Cox, lieutenant colonel; and Henry Taylor, major of the militia of the said county; and delivered it, as he believed, to one Teady Kelly, then going to Williamsburg.

It also appears to your committee, that the Governor, upon waiting until the 4th day of March last, without receiving any recommendation of field officers from the Court of Yohogania county, did then appoint John Campbell, county lieutenant; John Cannon, colonel; Thomas Brown, lieutenant colonel; and Henry Taylor, major of the militia, of the said county.

Whereupon, your committee came to the following resolutions thereupon :

*Resolved*, that it is the opinion of this committee, That so much of the said petition, praying that the persons recommended by the said court might be appointed field officers, is reasonable; and that the Governor and Council had no authority to appoint a county lieutenant for Yohogania, other than Dorsey Penticost, who was at that time county lieutenant for the district of West Augusta, and resided in the said county.

*Resolved*, that it is the opinion of this committee, That the other parts of the said petition, praying that some mode may be adopted for adjusting all disputes concerning the boundary of their lands; and also, for leaving it to every religious society to publish any acts of Assembly, which are or shall hereafter be directed to be read by the ministers or teachers thereof, in such manner and on such days as they shall think proper, be rejected.

The first resolution of the committee being read a second time, the amendment following was proposed to be made thereunto, to leave out the words "and that the Governor and Council had no authority to appoint a county lieutenant for Yohogania, other than Dorsey Penticost, who was at that time county lieutenant for the district of west Augusta, and resided in the said county."

And the question being put, that the words "and that the Governor and Council had no authority to appoint a county lieutenant for Yohogania, other than Dorsey Penticost, who was at that time county lieutenant for the district of west Augusta, and resided in the said county," stand part of the resolution,

It passed in the negative.

And the question being put, that the House doth agree with the committee in the said resolution so amended,

It passed in the negative.

The subsequent resolution of the committee being read a second time, was, upon the question put thereupon, agreed to by the House.

Mr. Nicholas reported, from the committee of Privileges and Elections, to whom it was referred to inquire by what means and by what person, the act of Assembly for speedily clothing the troops raised in this Commonwealth, now in continental service, hath been made public; that the committee had inquired accordingly, and had directed him



to report the matter as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, from the information of James Southall, that on Monday night he received the act of Assembly from Col. William Finnie, and on reading it on Tuesday morning to Robert Anderson, who was appointed one of the commissioners, John Cox, who was at that time passing by, told him he knew what he was reading, and said it was the Monopoly Act.

It also appears to your committee, from the information of Humphrey Harwood, that he went to Mr. John Norton's store on Tuesday morning in search of goods, where he met with two pieces of linen which he intended to take, but John Cox, who was in the store objected to it, and said he should not take them, that they were imported by Norton and Company, and then produced the act of Assembly, to show that he was not empowered to take goods from any person importing them; that, apprehending the said act was to be kept secret, he applied to Mr. Alexander Purdie to know how the said Cox came by it, who replied he knew not.

It also appears to your committee, from the testimony of John Cox, that the said act of Assembly was delivered to him by Curtis Bermingham, on Monday, who told him he got it of Mr. Purdie's man.

It also appears to your committee, from the testimony of Curtis Bermingham, that on Sunday morning, several negroes belonging to Mr. Alexander Purdie, being in his house, told him there was a handbill just come from the northward; and on his expressing a desire to see it, one Jones who lives with Mr. Purdie, at night brought a printed paper, which he threw down on the counter, and told him to take care of that; and that he delivered the said paper to Mr. John Cox; he also informed the committee, that he heard that one Moss was in possession of the act, but by what means he knew not.

It also appears to your committee, from the testimony of John Clarkson, that Mr. Norton came in at the back door of the office on Saturday evening, and asked him if he knew of an act that was to be printed; he told him that he did not; that Joseph Davenport, (who lives with Mr. Purdie,) came into the office just at the time, for paper to print the act; that Mr. Norton, on hearing this, told the said Clarkson to go into the office and see about the act, which he accordingly did; and upon inquiry was informed by Samuel Major, that the act was to be kept secret; that Mr. Norton then desired to know whether it was an act that respected trade: upon examining he found it to be the case; and accordingly informed Mr. Norton.

It also appears to your committee, from the testimony of Samuel Major, that on Saturday evening the act was delivered to him by Mr. Purdie, to be printed, who at the same time told him it must be kept secret; that Mr. Clarkson the same evening came to him, and told him a gentleman was in the office who wanted to see the act: upon which he informed Clarkson it was a secret, and nobody, not even himself, should see it; that Clarkson then asked him if it was an act respecting trade, which he refused answering; and that Clarkson then informed him it was Mr. Norton who wanted the information, and not himself.

Mr. John Norton being sworn and interrogated, how he knew that such a law was about to be made, replied, that he was in the office when a boy came to Mr. Clarkson for money to buy candles to print the act by: he also said, that he had heard there was an act to pass this session respecting trade.

It also further appears to your committee, from the testimony of Joseph Davenport, that he went into the office for money to buy candles to print the act by: that he there found Mr. Norton, and Mr. Clarkson, who, upon his saying there was an act to be printed, asked him for a sight of it, which he refused, and said it was to be kept secret; and that Mr. Norton then said he would give any thing to see it.

*Ordered*, That the said report do lie upon the table.

The other orders of the day being read;

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill, "to amend an act, entitled an act, 'to support the credit of the money issued by the authority of Congress, and by the authority of this Commonwealth,' and to make the former current within this Commonwealth."

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill, "for establishing a General Court and Courts of Assize."

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill, "for establishing a High Court of Chancery."

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill "to prevent forestalling, engrossing and regrating."

*Ordered*, That the Reverend James Madison be desired to preach before this House, in the parish church of Bruton, to-morrow, being the day appointed by the United States of America in Congress assembled, to be observed as a day of thanksgiving, for a signal victory over the enemy.

*Ordered*, That Mr. Carter do acquaint him therewith.

*Ordered*, That the order, that the House be called over, be further adjourned till to-morrow.

And the House adjourned till to-morrow morning, 10 o'clock.

THURSDAY, December 18, 1777.

The orders of the day being read,

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "to prohibit the importation of slaves."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for speedily recruiting the Virginia regiments, on the continental establishment."

*Ordered*, That the order, that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

FRIDAY, December 19, 1777.

Mr. Harrison reported, from the committee of Propositions and Grievances, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz :

*Resolved*, that it is the opinion of this committee, That so much of the petition of Christopher Cantrel, John Scott and Joseph Scott, in behalf of themselves and other adventurers, as prays that all caverns, rocks or veins of earth, impregnated with saltpetre, may be vested in the person or persons discovering the same, in case they shall not lie on granted or located lands, is reasonable.

*Resolved*, that it is the opinion of this committee, That such other part of the said petition, praying that all caverns, rocks, or veins of earth, impregnated with saltpetre, discovered on granted or located lands, where the proprietor thereof shall refuse to work the same, the person or persons exploring them may be allowed to do so, on paying the owner any damage he may thereby sustain, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Cumberland, praying that so much of an act of Assembly, as empowers the justices of the said county to lay off a town at the place fixed on for holding their sessions, may be repealed, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers other inhabitants of the county of Cumberland, praying that the Justices of their said court, may be empowered and directed to reconsider the order appointing the place for holding their sessions, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers other inhabitants of the said county of Cumberland in opposition thereto, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers persons residing in the Tyger's Valley settlement, praying that the county of Augusta may be divided, be referred to the consideration of the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the town of Zenesburg, praying that they may be reimbursed the losses they sustained by the depredations of the Indians, while they were engaged in the defence of Fort Henry, be rejected.

The first resolution of the committee being read a second time, and the question being put, that the House do agree with the committee in the said resolution,

It passed in the negative.

The subsequent resolutions of the committee being read a second time, were, upon the question put thereupon, agreed to by the House.

*Ordered*, That a bill, or bills, be brought in pursuant to the 3d and 4th resolutions of the committee, and that the committee of Propositions and Grievances, do prepare and bring in the same.

A message from the Senate by Mr. Henry Lee :

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, empowering the Governor with the advice of the Council, to stipulate with Monsieur Bowry for a battalion of troops to be brought from abroad; and declaring the Governor and Council in draughting a detachment of the militia and sending them to head quarters in Pennsylvania, according to the laws of this Commonwealth. And then he withdrew.

Mr. Harrison reported from the committee, to whom the bill "to establish a new ferry" was committed, that the committee had gone through the bill and made several amendments, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, were agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

Mr. Harrison presented to the House according to order, a "bill for giving proper salaries to certain officers of government;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Prentis reported, from the committee to whom the bill "for continuing an act entitled, 'an act for the more

regular laying off the borough of Norfolk," and "an act entitled 'an act appointing commissioners to inquire into, and ascertain the losses sustained by the late inhabitants of the borough of Norfolk' was committed, that the committee had gone through the bill and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, were agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

Mr. Bullitt presented to the House, according to order, a bill, "to amend an act entitled, 'an act limiting the time for continuing the delegates to General Congress in office,' and making provision for their support, and for other purposes;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

*Ordered*, That Mr. Davenport have leave to be absent from the service of this House, until the 6th day of January next; and Messrs. Fitzhugh and Cowper, for the remainder of the session.

*Ordered*, That a committee be appointed to inquire into the state of the iron works in the county of Albemarle, belonging to Old, Wilkinson and Trent, the joint possessions of the said Company, and the share of the said Wilkinson; and to report their opinion whether sufficient security may be given to the public by the said Wilkinson for the advancement of any, and what sum of money, and whether such advancement will probably be the means of having the said works carried on so as that the wants of the people, as well as the public, may in any measure be supplied from thence.

And a committee was appointed, of Messrs. Woodson, Underwood, Cabell, Patterson, Zane and Fleming.

*Ordered*, That leave be given to bring in a bill "to empower the Governor, with the advice of the Council, to grant letters of marque and reprisal," and that Messrs. Banister and Jefferson, do prepare and bring in the same.

The Speaker laid before the House a letter from the Governor, enclosing one from the President of Congress, with a resolution of Congress.

And the said letters and resolution were read.

*Ordered*, That the said letters and resolution, be referred to the committee of the whole House on the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill or bills, pursuant to the resolutions of the committee of the whole House, which, on the 10th day of this month, were reported and agreed to by the House, that they have power to receive a clause, or clauses, for authorising the Governor, with the advice of the Privy Council, to empower a number of volunteers, not exceeding six hundred, to march against and attack any of our western enemies, and to appoint the proper officers, and give the necessary orders for such expedition.

Mr. Banister presented to the House, according to order, a bill, "for better securing the Commonwealth, and for the further protection and defence thereof;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

A message from the Senate by Mr. Jones:

MR. SPEAKER.—The Senate have agreed to the resolution of this House, appointing commissioners to meet commissioners from the State of Maryland, to adjust and confirm the rights of each to the use and navigation of, and jurisdiction over, the Bay of Chesapeake, and the rivers Potomac and Pocomoke." And then he withdrew.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the bill, "for speedily recruiting the Virginia regiments on the continental establishment,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported, from the committee, that they had made a further progress in the bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the said bill.

The other orders of the day being read,

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "to amend an act, entitled, 'an act to support the credit of the money issued by the authority of Congress, and by the authority of this Commonwealth, and to make the former current within this Commonwealth.'"

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider of the bill, "to prevent forestalling, engrossing, and regrating."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill, "for establishing a General Court and Courts of Assize."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill, "for establishing a High Court of Chancery."

*Ordered*, That the order that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.



SATURDAY, December 20, 1777.

*Ordered*, That Messrs. Anderson and Poag, have leave to be absent from the service of this House for the remainder of the session.

A message from the Senate by Mr. Walker :

Mr. SPEAKER,—The Senate have agreed to the bill, entitled “an act to empower the trustees and feoffees of the town of Fredericksburg, to assess the expenses of keeping the streets of the said town in repair, on the inhabitants thereof.” And then he withdrew.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the bill, “for speedily recruiting the Virginia regiments on the continental establishment,”

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported from the committee, that they had made a further progress in the said bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider further of the said bill.

A message from the Senate by Mr. Carrington :

Mr. SPEAKER,—The Senate have agreed to the bill, entitled “an act to empower the vestry of the parish of Saint Paul, in the county of Hanover, to sell the glebe of the said parish, and to lay out the money in the purchase of a more convenient glebe.” And also,

The Senate have agreed to the resolution of this House, for allowing to Mrs. Seayres, widow of the late Colonel Seayres, 200*l*. for the present relief of herself and her children. And then he withdrew.

A bill, “for better securing the Commonwealth, and for the further protection and defence thereof,” was read a second time.

*Ordered*, That the bill be engrossed.

An engrossed bill, “for continuing an act, entitled ‘an act for the more regular laying off the borough of Norfolk;’” and, an act entitled, “an act for appointing commissioners to inquire into, and ascertain the losses sustained by the late inhabitants of the borough of Norfolk,” was read the third time.

*Resolved*, That the bill do pass, and that the title be, “an act for continuing an act, entitled ‘an act for the more regular laying off the borough of Norfolk;’” and, an act entitled, ‘an act for appointing commissioners to inquire into and ascertain the losses sustained by the late inhabitants of the borough of Norfolk,’ and for other purposes.”

*Ordered*, That Mr. Prentiss do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, “for establishing a new ferry,” was read the third time.

*Resolved*, That the bill do pass, and that the title be, “an act to establish a new ferry over the rivers Staunton and Dan.”

*Ordered*, That Mr. Terry do carry the bill to the Senate, and desire their concurrence.

The other orders of the day being read.

*Resolved*, That the House will, on Tuesday next, resolve itself into a committee of the whole House, to consider of the bill, “to amend an act, entitled ‘an act to support the credit of the money issued by the authority of Congress, and by the authority of this Commonwealth, and to make the former current within this Commonwealth.’”

*Ordered*, That the order that the House be called over, be further adjourned till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

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MONDAY, December 22, 1777.

The order of the day being read that the House be called over,

The House was accordingly called over, and the names of the members who failed to appear were noted; and the names of those who made default being again called over, some were excused on account of sickness, employments in the service of the public elsewhere, and other justifiable avocations.

*Ordered*, That the members who are absent, and for whom no excuses, or insufficient excuses, have been made, be sent for, and taken into custody of the sergeant at arms, attending this House.

*Ordered*, That the sergeant at arms attending this House, take into his custody William Hubbard, member for the county of Charlotte; Bolling Starke, member for the county of Dinwiddie; Hugh Nelson, member for the county of Fauquier; Lewis Burwell, member for the county of Gloucester; George Lyne, member for the county of King and Queen; Joseph Speed, member for the county of Mecklenburg; Beverley Daniel and James Montague, members for the county of Middlesex; William Eskridge and Daniel Muse, members for the county of Northumberland; Charles Porter, member for the county of Orange; Edmund Ruffin and Benjamin Harrison, jun. members for the county of

Prince George; William Brown and John Hartwell Cocke, members for the county of Surry; Gray Judkins, member for the county of Sussex; and General Nelson, member for the county of York, who are absent.

The House being informed, that Mr. Benjamin Harrison, member for the county of Charles City, and Mr. Thomas Underwood, member for the county of Goochland, who were absent when the House was this day called over, now attended; and it appearing that there was good cause to excuse their absence,

*Ordered*, That the said Benjamin Harrison and Thomas Underwood, be admitted to their seats.

The House being informed, that General Nelson, one of the members for the county of York; Mr. Edmund Ruffin, jun. one of the members for the county of Prince George; Mr. Charles Porter, one of the members for the county of Orange; Mr. John Hartwell Cocke, one of the members for the county of Surry; Mr. Hugh Nelson, one of the members for the county of Fauquier; and Mr. George Lyne, one of the members for the county of King and Queen, attended in custody of the serjeant at arms,

*Ordered*, That the said General Nelson, Edmund Ruffin, jun. Charles Porter, John Hartwell Cocke, Hugh Nelson, and George Lyne, be discharged out of custody, paying fees.

*Ordered*, That Mr. Shelton have leave to be absent from the service of this House, for the remainder of the session.

A bill, "for dissolving the vestry of the parish of Meherrin, in the county of Brunswick," was read a second time.

*Resolved*, That the bill be committed to Messrs. Tazewell, Macklin and Jefferson.

*Ordered*, That it be an instruction to the said committee, that they have power to receive a clause or clauses, for dissolving the vestry of the parish of Saint Anne, in the county of Albemarle.

An engrossed bill, "for better securing the Commonwealth, and for the further protection and defence thereof," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for better securing the Commonwealth, and for the further protection and defence thereof."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

Mr. Fleming reported from the committee, appointed to inquire into, and report the state of the iron works in the county of Albemarle, belonging to Messrs. Old, Wilkinson and Trent, the joint possessions of the said Company, and share of the said Wilkinson, that the committee had inquired accordingly, and had directed him to report the same, as it appeared to them, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, that the old furnace is yet standing, though somewhat out of repair; but that it may be put in blast at the expense of about 150*l.*; that the said Wilkinson is owner of one third of the said works; that there are 8,329 1-4 acres of patented land, well stored with iron ore, belonging to the same; on which, there is a good water grist mill, with two pair of stones; that there are also, two hundred entries of unsurveyed lands in the counties of Albemarle, Amherst, and Augusta, a valuable negro fellow, two wagons and five horses, belonging to the said Company; that the said Wilkinson's part of the said works, is mortgaged for the sum of 1,158*l.* 6*s.* 0*d.* with interest for about four years.

It also appears to your committee, that the said Old, Wilkinson and Trent, have, in order to carry on the said works, entered into a written agreement, to put into stock the sum of 3,000*l.* on the first day of January next, and the further sum of 3,000*l.* in the month of April following.

Whereupon, your committee came to the following resolution:

*Resolved*, That it is the opinion of this committee, That if the public shall advance the sum of 2,000*l.* to the said Wilkinson, it will be a means of having the said works carried into effect, so that a considerable quantity of iron may from thence be supplied to the people, and to the public; and that sufficient security may be given by the said Wilkinson for the said sum of 2,000*l.*, which ought to be advanced to him, and lodged in the hands of trustees, to be by them advanced as occasion may require, and repaid to the public either in money with interest, or, out of the said Wilkinson's part of the first iron made at the said works, at the then market price, the former mortgage being first satisfied; and, as a security for the payment of the same with interest, the said Wilkinson ought to execute a mortgage for his third part of the said works, with the appurtenances, to the said trustees, for the security of the public, who, by a covenant to be inserted in the said mortgage, shall have full power from time to time, on behalf of the said Wilkinson, to adjust and settle all disputes and differences that may arise between the said partners, respecting the management of the said works, till the said 2,000*l.* with interest, shall be repaid.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Resolved*, That 2,000*l.* be lodged in the hands of Nicholas Lewis and John Coles, gentlemen, trustees, to be by them advanced to John Wilkinson, as occasion may require, towards carrying on the iron works in the county of Albemarle, belonging to Messrs. Old and Trent and the said Wilkinson, and be repaid to the public, either in money with interest, or out of the said part of the first iron made at the said works, at the then market price, after satisfying the mortgage of the said Wilkinson's share, and that the said trustees take a mortgage of the said Wilkinson of his said share, for securing the repayment of the said money and interest, inserting in such mortgage a covenant; or that the said trustees shall have full power from time to time, on behalf of the said Wilkinson, to adjust and settle all disputes and differences that may arise between the said parties, respecting the management of the said works, till the said 2,000*l.* with interest, shall be repaid.

*Ordered*, That Mr. Fleming do carry the resolution to the Senate, and desire their concurrence.



*Ordered*, That it be an instruction to the committee, to whom the bill, "for establishing a public warehouse for the reception of tobacco at South Quay, in the county of Nansemond," is committed, that they have power to receive a clause or clauses, for reviving the inspection at Hobb's Hole, in the county of Essex.

*Ordered*, That leave be given to bring in a bill, "to vest certain lands in William Roane, gentleman, purchased of John Randolph Grymes;" and that Mr. Edmondson and General Nelson do prepare and bring in the same.

Mr. Carter presented to the House, according to order, a bill, "for indemnifying the Governor and Council and others, for removing and confining suspected persons during the late public danger;"

And the same was received and read the first time.

*Resolved*, That the bill be read a second time.

A bill, "for forming a new county out of the counties of Bedford and Henry," was read a second time.

*Resolved*, That the bill be committed to Messrs. Hairstone and Talbot.

Mr. Carter reported from the committee, to whom the bill, "to empower the commissioners of the Gun Manufactory at Fredericksburg, to take apprentices therein," was committed, that the committee had gone through the bill and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time one by one, and upon the question severally put thereupon, several of them were agreed to, and one was disagreed to by the House;

*Ordered*, That the bill with the amendments be engrossed.

Mr. Riddick reported from the committee, to whom the bill, "for establishing a warehouse, for the reception of tobacco at South Quay, in Nansemond county," was committed, that the committee had gone through the bill and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, were agreed to by the House;

*Ordered*, That the bill with the amendments be engrossed.

The order of the day being read, for the House to resolve itself into a committee of the whole House, on the bill, "for speedily recruiting the Virginia regiments on the continental establishment,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Carter reported, from the committee, that they had gone through the bill and made several amendments thereunto, which they had directed him to report when the House will please to receive the same;

*Ordered*, That the report be received to-morrow.

The other orders of the day being read,

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill, "to prohibit the importation of slaves."

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill, "for establishing a General Court and Courts of Assize."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill, "for establishing a High Court of Chancery."

And then the House adjourned till to-morrow morning, 10 o'clock.

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## TUESDAY, December 23, 1777.

*Ordered*, That special messengers be sent to take into custody the several members who were absent without leave or good excuse, when the House was yesterday called over, and who were ordered to be taken into custody of the serjeant at arms, and have not since been admitted to their seats in this House.

Mr. Harrison presented to the House, according to order, a bill, "for empowering the justices of Cumberland county, to appoint a new place for holding their courts, and to repeal the act for laying off a town at such place;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Carter, according to order, reported from the committee of the whole House, to whom the bill, "for speedily recruiting the Virginia regiments on the continental establishment," was committed, the amendments which the committee had made to the bill and which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the report was read.

Several of the amendments made by the committee to the said bill, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House;



And several amendments were made by the House to the bill;  
And the consideration of the residue of the amendments made by the committee to the bill, was adjourned till to-morrow.

The House being informed that Mr. Benjamin Harrison, one of the members for the county of Prince George, attended in custody of the serjeant at arms,

*Ordered*, That the said Benjamin Harrison be discharged out of custody, paying fees.

A message from the Senate by Mr. Cabell :

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for advancing the sum of 2,000*l.* to John Wilkinson, on the terms and conditions therein mentioned. And then he withdrew.

A message from the Senate by Mr. Matthews :

MR. SPEAKER,—The Senate have agreed to the resolution of this House, appointing commissioners to settle the claims of John Carmack and others, with several amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

The Speaker laid before the House a letter from the Governor,

And the said letter was read.

*Ordered*, That the said letter do lie upon the table, to be perused by the members of the House.

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill “to prevent forestalling, engrossing and regrating.”

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill “to amend an act entitled, ‘an act to support the credit of the money issued by the authority of Congress, and by the authority of this Commonwealth,’ and to make the former current within this Commonwealth.”

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill “for establishing a General Court and Courts of Assize.”

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill “for establishing a High Court of Chancery.”

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, December 24, 1777.

A message from the Senate by Mr. Gray :

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act for continuing an act entitled, ‘an act for the more regular laying off the borough of Norfolk;’ and, an act entitled, ‘an act, for appointing commissioners to inquire into and ascertain the losses sustained by the late inhabitants of the borough of Norfolk, and for other purposes.’” And then he withdrew.

*Ordered*, That Mr. Braxton have leave to be absent from the service of this House until Monday next.

A message from the Senate by Mr. Carrington :

MR. SPEAKER,—The Senate have agreed to the bill entitled, “an act for better securing the Commonwealth, and for the further protection and defence thereof.” And then he withdrew.

An engrossed bill, “to empower the commissioners of the Gun Manufactory at Fredericksburg, to take apprentices therein,” was read the third time.

*Resolved*, That the bill do pass, and that the title be “an act to empower the commissioners of the Gun Manufactory at Fredericksburg, to take apprentices therein.”

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill “for establishing a warehouse for the reception of tobacco at South Quay in Nansemond county,” was read the third time.

*Resolved*, That the bill do pass, and that the title be “an act for establishing a warehouse for the reception of tobacco at South Quay in Nansemond county, and Hobbs's Hole in Essex county.”

*Ordered*, That Mr. Riddick do carry the bill to the Senate, and desire their concurrence.

Mr. Edmondson presented to the House, according to order, a bill “to vest certain lands in William Roane, gentleman, purchased of John Randolph Grymes;” and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

A bill, “to empower the Justices of Cumberland county, to appoint a new place for holding their courts, and to repeal the act for laying off a town at such place,” was read a second time.

*Resolved*, That the bill be committed to Messrs. Randolph, Carrington, Jefferson and Bullitt.

*Ordered*, That it be an instruction to the said committee, that they have power to receive a clause or clauses pursuant to the resolution of the committee of Propositions and Grievances, on the petition of sundry inhabitants of the county of Fluvanna, which was reported on the fourth day of this month, and agreed to by the House.

A bill, “to amend an act, entitled, ‘an act, limiting the time for continuing the delegates to General Congress in office,’ and making provision for their support, and for other purposes,” was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider of the said bill.

A bill, "for indemnifying the Governor and Council and others, for removing and confining suspected persons during the late public danger," was read a second time.

*Ordered*, That the bill be engrossed.

*Ordered*, That Mr. McDowell be added to the committee of Public Claims.

A bill "to vest certain lands in William Roane, gentleman, purchased of John Randolph Grymes," was read a second time.

A motion was made, and the question being put, that the bill be committed,

It passed in the negative.

And the question being put, that the bill be engrossed,

It passed in the negative.

A bill, "for giving proper salaries to certain officers of government," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider of the said bill.

Mr. Carter reported from the committee, to whom it was referred to inquire into the state, progress and expense of the several public salt works, that the committee had inquired accordingly, and had directed him to report the same as it appeared to them, together with the resolutions of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, that the works in Northumberland are now complete, under the direction of Mr. Edwards, and on the 10th of November had one salt pan at work, and that sixty bushels of salt had been made at the said works.

It further appears to your committee, that the works in Gloucester, under the direction of Mr. Hobday, are complete, and had on the second day of December, two salt pans at work, and another ready to fit up, and that 100 bushels of salt had been made at the said works.

It further appears to your committee, that the works at York, are incomplete, and that the manager appointed by act of Assembly, is since dead; no pans are at this time brought to the said works, and that the Governor and Council are directed by act of Assembly to appoint a manager.

It further appears to your committee, that the works in Elizabeth City, under the direction of Mr. Cary, are incomplete; and that it will require the further sum of 300*l*. to complete the same, exclusive of pans.

It further appears to your committee, that two hundred bushels of salt are already made at the Isle of Wight works; and that one large pan of two thousand three hundred gallons, is now at work.

Whereupon, your committee came to the following resolutions:

*Resolved*, that it is the opinion of this committee, That the Governor, with the advice of the Council, is, by act of Assembly, fully empowered to call the managers to account, and draw on the treasurer for such sums as they shall think necessary, for completing and carrying on the said works.

*Resolved*, that it is the opinion of this committee, That the said works will be very beneficial to the public.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

Mr. Richard Lee reported from the committee of Public Claims, to whom the petition of Edmund Ruffin, jun. was recommitted, that the committee had reconsidered the matter of the said petition, and had directed him to report the same as it appeared to them, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

It appears to your committee, that the slave Dick in the petition mentioned, by endeavoring to get to Lord Dunmore's fleet, was driven out to sea where he was taken up, and brought to Williamsburg, and committed to the public jail on the 7th day of December, 1775; that at the time he was committed, he appeared to be sick, and continued in this State till the 29th of January following, when he, together with several other slaves who were then in confinement, were valued by persons appointed for that purpose by the committee of Safety, and then delivered by the jailor into the custody of Capt. Eustace, in order, as is supposed, to be put on board some vessel and transported to the West Indies, and since that time, has not been heard of; that the said slave Dick, was then valued to 15*l*. It likewise appears to your committee, that by a certificate of five honest and reputable men on oath, in the county of Bedford, who were well acquainted with the said slave, that at the time of his elopement, he was worth 60*l*. current money of Virginia. Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the petitioner ought to be allowed the sum of 15*l*. for his said slave.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.



*Ordered*, That Mr. Freeman Eppes, serjeant at arms attending this House, have leave to be absent from the service of the House, until the 6th day of January next; and that Mr. Edward Winn, be permitted to officiate in his stead.

Mr. Harrison, reported from the committee of Propositions and Grievances, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House, and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the petition of John Owens, praying that a ferry may be established across Dan river, from his land in the county of Pittsylvania, to the land of Sylvester Adams on the opposite side, be referred to the consideration of the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of John Fox, praying that a ferry may be established across York river, from his land in the county of Gloucester, to Stanhope creek on the opposite side, be referred to the consideration of the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of the inspectors of tobacco at Rocky Ridge, Cary's, John Bolling's, Bollingbrooke, Osborne's, Crutchfield's, Page's and Meriwether's warehouses; setting forth that the salaries allowed them by law, are not adequate to their services, and praying that some certain provision may be made them by fixed salaries, according to the value of their services, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of James Devore, praying that a ferry may be established across Moonongalia river, from his land on the east side of the said river to Pigeon creek, on the opposite side, be referred to the consideration of the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of sundry freeholders in the county of Sussex; setting forth, that they hold their lands under leases from the President and Masters of the College of William and Mary, and that in consequence of a covenant in the said leases, they are compelled to pay nett sweet scented tobacco for the rent of the said lands, or a certain sum of sterling money in lieu thereof, and praying that they may be allowed in future to discharge their rents in such tobacco as passes in payment of public dues in the said county, or in current money, at such stated prices, as shall be thought just and reasonable; be referred to the consideration of the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of Mary Durley, praying that she may be reimbursed for a vessel, which was taken for the use of the service, by order of his excellency the Governor, when commander of the first Virginia regiment, is reasonable.

*Resolved*, that it is the opinion of this committee, That the said Mary Durley, ought to be allowed the sum of 20*l*. as a full compensation for the said vessel.

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the county of Loudoun; setting forth, that they labor under particular hardships by the law allowing to men an exemption from draughts and militia duty, on procuring a substitute to enter into the continental army; many of them upon hearing of this law, and before it was published, having parted with valuable servants, and others having purchased servants to put into the army, who were received by the recruiting officers, and from whom certificates of exemption were obtained, but the courts martial have since refused to allow the exemption; and that they conceive the enlistment of apprentices, without their masters being made any satisfaction for them, to bear very hard upon individuals; and praying such relief as may be thought just and reasonable, be rejected.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Harrison do carry the 6th and 7th resolutions to the Senate, and desire their concurrence.

Mr. Jefferson reported, from the committee to whom the bill for dividing the counties of Augusta and Botetourt, and for other purposes, was committed, that the committee had gone through the bill, and made an amendment thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendment in at the clerk's table, where the amendment was twice read; and upon the question put thereupon, agreed to by the House.

*Ordered*, That the bill with the amendment be engrossed.

Mr. Tazewell reported, from the committee to whom the bill for dissolving the vestry of the parish of Meherrin, in the county of Brunswick, was committed, that the committee had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill with the amendments be engrossed.

Mr. Talbot reported, from the committee to whom the bill "for forming a new county out of the counties of Bedford and Henry" was committed, that the committee had gone through the bill and made an amendment thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendment in at the clerk's table, where the amendment was twice read, and upon the question put thereupon, agreed to by the House.

*Ordered*, That the bill with the amendment be engrossed.

The order of the day being read, for resuming the adjourned consideration of the report of the committee of the whole House, to whom the bill "for speedily recruiting the Virginia regiments on continental establishment," was committed,



The House resumed the adjourned consideration of the said report; and the several other amendments were read a second time, one by one; and upon the question severally put thereupon, were, with amendments to some of them, agreed to by the House.

*Ordered*, That the bill with the amendments be engrossed.

The other order of the day being read,

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill "to prevent forestalling, engrossing and regrating."

And then the House adjourned till Friday morning next, 10 o'clock.

## FRIDAY, December 26, 1777.

The House being informed that Mr. Beverley Daniel, one of the members for the county of Middlesex, attended in custody of the serjeant at arms,

*Ordered*, That the said Beverley Daniel, be discharged out of custody, paying fees.

An engrossed bill "for indemnifying the Governor and Council and others, for removing and confining suspected persons during the late public danger," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for indemnifying the Governor and Council and others, for removing and confining suspected persons during the late public danger."

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That Mr. Bullitt have leave to be absent from the service of this House, until Monday fortnight next.

An engrossed bill "for speedily recruiting the Virginia regiments on the continental establishment," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for speedily recruiting the Virginia regiments on the continental establishment, and for raising additional troops of volunteers."

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill "for dissolving the vestry of the parish of Meherrin, in the county of Brunswick," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for dissolving the vestries of the parishes of Meherrin and Saint Anne."

*Ordered*, That Mr. Tazewell do carry the bill to the Senate, and desire their concurrence.

An engrossed bill "for forming a new county out of the counties of Bedford and Henry," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for forming a new county out of the counties of Bedford and Henry."

*Ordered*, That Mr. Talbot do carry the bill to the Senate, and desire their concurrence.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill "to prevent forestalling, engrossing and regrating,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

General Nelson took the chair of the committee.

Mr. Speaker resumed the chair.

General Nelson reported from the committee, that they had made a progress in the bill, and that he was directed by the committee, to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the said bill.

The other orders of the day being read,

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill "to prohibit the importation of slaves."

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider further of letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Resolved*, That this House will, on Saturday se'nnight next, resolve itself into a committee of the whole House, to consider of the bill "to amend an act, entitled, 'an act, to support the credit of the money issued by the authority of Congress, and by the authority of this Commonwealth,' and to make the former current within this Commonwealth."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, December 27, 1777.

The House being informed that Mr. William Brown, one of the members for the county of Surry, attended in custody of the serjeant at arms;

*Ordered*, That the said William Brown be discharged out of custody, paying fees.

An engrossed bill, "for dividing the counties of Augusta and Botetourt," and for other purposes, was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for forming several new counties, and reforming the boundaries of two others."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "for enabling the public contractors to procure stores of provisions necessary for the ensuing campaign, and for defeating the evil intentions of those who have endeavored to prevent the public therein," and that Messrs. Mason and Jefferson do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled an act, 'to regulate the inoculation of the small pox within this colony,'" and that Messrs. Mason, Adams, Pendleton, Nicholas, General Nelson, Richard Lee, Harrison, Hugh Nelson, and Jefferson, do prepare and bring in the same.

A claim of the officers and soldiers stationed at Fort Pitt, Wheeling, Little Kanawha and Point Pleasant, for the difference of the pay they were entitled to by the terms of their enlistment, and what they have received since they were taken into the service of the United States, was presented to the House, and read.

*Ordered*, That the said claim be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the bill, "to prevent forestalling, engrossing and regrating,"

The House resolved itself into the said committee.

Mr. Speaker left the chair,

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had gone through the bill, and made several amendments thereunto; which they had directed him to report, when the House will please to receive the same.

*Ordered*, That the report be received on Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, December 29, 1777.

Mr. Mason presented to the House, according to order, a bill "for enabling the public contractors to procure stores of provisions necessary for the ensuing campaign, and for defeating the evil intentions of those who have endeavored to prevent the public therein,"

And the same was received and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Harrison, presented to the House according to order, a bill "to empower John Ballendine to open the falls of James River,"

And the same was received and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Fleming reported, according to order, from the committee of the whole House, to whom the bill "to prevent forestalling, engrossing and regrating," was committed, the amendments which the committee had made to the bill, and which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, some were agreed to, and others disagreed to by the House.

*Ordered*, That the bill with the amendments be engrossed.

A bill, "for dissolving the vestry of the parish of Christ Church, in the county of Lancaster," was read a second time.

*Ordered*, That the bill be engrossed.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill "for establishing a General Court and Courts of Assize,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had made a progress in the bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the said bill.

The other order of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

Mr. Prentis reported, from the committee appointed to examine the enrolled bills, that the committee had examined the bill, entitled "an act for better securing the Commonwealth, and for the further protection and defence thereof;" and also the bill, entitled "an act to empower the trustees and feoffees of the town of Fredericksburg, to assess the expense of keeping the streets of the said town in repair, on the inhabitants thereof;" and had rectified such mistakes as were found therein; and that the same are truly enrolled.

*Ordered*, That Mr. Prentis do carry the bills to the Senate for their inspection.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, December 30, 1777.

Mr. Richard Lee reported, from the committee of Public Claims, that the committee having according to order of the House, inspected the report of the committee of Claims last session; and also, read, considered, and regulated the claims presented to this session of Assembly, had entered such of the said claims as were allowed, in a book, and had directed him to report the same, to the House; and he read the report in his place, and afterwards delivered the book in at the clerk's table.

*Ordered*, That the book of public claims do lie upon the table, to be perused by the members of the House.

An engrossed bill, "for dissolving the vestry of the parish of Christ Church in the county of Lancaster," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for dissolving the vestry of the parish of Christ Church, in the county of Lancaster."

*Ordered*, That Mr. Bullitt do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to prevent forestalling, engrossing, and regrating," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to prevent forestalling, regrating, engrossing, and public vendues."

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the bill "for establishing a General Court and Courts of Assize,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had made a further progress in the bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the said bill.

The other orders of the day being read,

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill "to amend an act, entitled 'an act limiting the time for continuing the delegates to General Congress in office, and making provision for their support.'"

*Resolved*, That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the bill "for giving proper salaries to certain officers of government."

*Resolved*, That this House will, on Saturday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which with several other papers, were ordered to lie upon the table.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

And then the House adjourned till to-morrow morning, 10 o'clock.

## WEDNESDAY, December 31, 1777.

*Ordered*, That Gen. Nelson have leave to be absent from the service of this House until Monday next, for the recovery of his health.



The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the bill "for establishing a General Court and Courts of Assize,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill with the amendments be engrossed.

The other order of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery."

And then the House adjourned till to-morrow morning, 10 o'clock.

### THURSDAY, January 1, 1778.

Mr. Fleming reported, from the committee for Courts of Justice, that the committee had, according to order, further examined what laws have expired, and inspected such laws as will expire with the end of this session, or are near expiring, and had come to a resolution, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolution of the committee was read, and is as followeth, viz:

*Resolved*, that it is the opinion of this committee, That so much of an act of General Assembly, made in the twenty-second year of the reign of King George the second, entitled "an act for the support of the clergy, and for the regular collecting and paying the parish levies, or any other act as provides salaries for the ministers, and authorises vestries to levy the same," and was suspended by an act of Assembly passed in the year 1776, entitled "an act for exempting the dissenting societies of dissenters from contributing to the support and maintenance of the church as by law established, and its ministers, and for other purposes therein mentioned," and is, by another act passed in the year 1777, suspended until the end of this present session of Assembly, ought to be further suspended until the end of the next session of General Assembly.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution; and that the committee for Courts of Justice do prepare and bring in the same.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill "for establishing a High Court of Chancery,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had made a progress in the bill, and that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the said bill.

Mr. Randolph reported, from the committee to whom the bill to empower the justices of Cumberland county to appoint a new place for holding their courts, and to repeal the act for laying off a town at such place, was committed, that the committee had examined the allegations of the bill, and found the same to be true, and that the committee had gone through the bill and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill with the amendments be engrossed.

A message from the Senate by Mr. Gray:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for indemnifying the Governor and Council, and others, for removing and confining suspected persons during the late public danger;" And also,

The Senate have agreed to the bill, "empowering the commissioners of the Gun Manufactory at Fredericksburg, to take apprentices therein;" And also,

The Senate have agreed to the resolution for paying Edmund Ruffin, jun. the sum of 15*l*., without any amendments; And also,

The Senate have agreed to the bill, entitled "an act, for dissolving the vestries of the parishes of Meherrin and St. Anne," with an amendment, to which amendment the Senate desire the concurrence of this House. And then he withdrew.

The book of Public Claims, which was on Tuesday last, ordered to lie upon the table, was read.

*Resolved*, That the book of Public Claims do pass.

*Ordered*, That Mr. Richard Lee, do carry the book of Public Claims to the Senate, and desire their concurrence. And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, January 2, 1778.

The House being informed, that Mr. Gray Judkins, one of the members for the county of Sussex, attended in custody of the serjeant at arms;

*Ordered*, That the said Gray Judkins, be discharged out of custody, paying fees.

Mr. Fleming, presented to the House according to order, a bill "for further suspending the payment of the salaries heretofore given to the clergy of the church of England;"

And the same was received and read the first time.

*Resolved*, That the bill be read a second time.

*Ordered*, That leave be given to bring in a bill to revive and amend an act "for appointing commissioners to ascertain the value of certain churches and chapels in the parishes of Frederick, Norborne, and Beckford, and for other purposes therein mentioned;" and that the committee for Religion do prepare and bring in the same.

*Ordered*, That Mr. Abraham Hite, have leave to be absent from the service of this House, for the remainder of the session, for the recovery of his health.

Mr. Braxton reported, from the committee for Religion, to whom the petition of the vestry of the parish of Beckford, in the county of Dunmore, in behalf of the inhabitants of the said parish was referred, that the committee had examined the matter of the said petition, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolution of the committee was read, and is as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the petition of the vestry of the parish of Beckford, in the county of Dunmore, praying that the vestries of the parishes of Frederick and Norborne, may be empowered and instructed to levy on the inhabitants of their respective parishes, their proportionable part of the first costs of the churches in the said parishes of Frederick and Norborne, and pay the same to the petitioners, for the use of the said parish of Beckford, be rejected.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

A bill, "for enabling the public contractors to procure stores of provisions necessary for the ensuing campaign, and for defeating the evil intentions of those who have endeavored to prevent the public therein," was read a second time.

*Ordered*, That the bill be engrossed.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the bill "for establishing a High Court of Chancery,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one, and upon the question severally put thereupon, were agreed to by the House.

*Ordered*, That the bill with the amendments, be engrossed.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill "to amend an act, entitled 'an act limiting the time for continuing the delegates to General Congress in office,' and making provision for their support, and for other purposes,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, were agreed to by the House.

*Ordered*, That the bill with the amendments, be engrossed.

Mr. Richard Lee, reported from the committee of Public Claims, to whom the claims of William Coles and Adam Cooke were referred, that the committee had examined the said claims, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved, that it is the opinion of this committee,* That William Coles ought to be allowed for the following articles, taken from him by the Indians, whilst he acted as a spy in the country's service, the several sums of money to which they were valued, *to wit*, one rifle gun, shot bag and horn, 12*l*.; one pound of powder, 6*s*.; one horse, 7*l*.; one blanket 10*s*.; and one tomahawk, 3*s*.; amounting in the whole to 19*l*. 19*s*.

*Resolved, that it is the opinion of this committee,* That there ought to be allowed to the estate of Adam Cooke, dec'd. for the following articles, taken from the said Cooke by the Indians, whilst he acted as a spy in the country's service, the several sums of money to which they were valued, *to wit*, one rifle gun, shot bag, horn, &c. 9*l*. 12*s*. 0*d*.; and one blanket, 10*s*.; amounting in the whole to 10*l*. 2*s*. 0*d*.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That Mr. Richard Lee do carry the resolutions to the Senate, and desire their concurrence.

*Ordered,* That a committee be appointed to prepare reasons to be offered at the conference to be desired of the Senate, in answer to their reasons delivered at the last conference; and to propose that some expedient may be adopted by the two Houses for reconciling their difference of opinion.

And a committee was appointed, of Messrs. Jefferson, Pendleton, Bullitt, Meriwether and Fleming.

A bill, "to empower John Ballendine to open the falls of James River," was read a second time.

*Resolved,* That the bill be committed to the committee of Propositions and Grievances.

The House proceeded to take into consideration the amendment made by the Senate, to the bill entitled "an act for dissolving the vestries of the parishes of Meherrin and Saint Anne."

And the said amendment was read, and is as followeth, viz:

Line 9th; leave out from the word "at" to the end of the line, and insert "Randall's ordinary, in the said parish."

The said amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered,* That Mr. Tazewell do carry the bill to the Senate, and acquaint them that this House hath agreed to the amendment made by them to the bill, entitled "an act for dissolving the vestries of the parishes of Meherrin and Saint Anne."

The other orders of the day being read,

*Resolved,* That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill, "to prohibit the importation of slaves."

*Resolved,* That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill, "for giving proper salaries to certain officers of government."

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, January 3, 1778.

The House being informed that Mr. Daniel Muse, one of the members for the county of Northumberland, attended in custody of the serjeant at arms;

*Ordered,* That the said Daniel Muse be discharged out of custody, paying fees.

*Ordered,* That Mr. Jefferson have leave to be absent from the service of this House, until Tuesday next.

Mr. Harrison reported, from the committee of Propositions and Grievances, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the counties of Brunswick, Lunenburg and Mecklenburg, praying that the ordinance that establishes a land tax may be repealed, and that each person should pay a certain sum, in proportion to the value of his real and personal property, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of the inspectors at Cabin Point, praying that they may be indemnified in case any accident should happen to the tobacco remaining in their warehouses before the late inspection law took place, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of Willis Wilkins, praying that the order of the committee of the county of Norfolk, directing the removal of the petitioner out of the said county be superseded, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of Robert Wooding, praying that the place fixed on for holding courts in the county of Halifax may not be altered, be rejected.



*Resolved, that it is the opinion of this committee,* That the petition of John West the younger, of the county of Fairfax, in behalf of Henry Bennett, Esq. of the kingdom of Great Britain; praying that commissioners may be appointed to superintend and manage the estate of the said Bennett, lying in the counties of Fairfax and Loudoun, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of Joseph Carrington, praying to be reimbursed the sum of nine pounds five shillings, his expenses in enlisting new recruits to complete his minute company, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of Thomas Batchelor, praying the direction of this House how he shall proceed with divers poor persons committed to his care by the vestry of the parish of Portsmouth in the county of Norfolk, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of John Dixon, praying to be reimbursed the loss of one moiety of a vessel and cargo taken by the enemy, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of Benjamin Bucktrout, praying that the country would purchase a powder mill he had erected, and make him a reasonable allowance for inventing the plan, be rejected.

The 1st, 2d, 3d, 4th, 5th, 7th, 8th and 9th resolutions of the committee being read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 6th resolution of the committee being read a second time, and the question being put that the House doth agree with the committee in the said resolution,

It passed in the negative.

*Resolved,* That Joseph Carrington be allowed the sum of 9*l.* 5*s.*, for his expenses in enlisting new recruits to complete his minute company.

*Ordered,* That Mr. Harrison do carry the said resolutions to the Senate, and desire their concurrence.

An engrossed bill, "to amend an act, entitled 'an act limiting the time for continuing the delegates to General Congress in office, and making provision for their support,' and for other purposes," was read the third time.

*Resolved,* That the bill do pass, and that the title be, "an act to amend an act, entitled 'an act limiting the time for continuing the delegates to General Congress in office, and making provision for their support,' and for other purposes."

*Ordered,* That Mr. Bullitt do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to empower the justices of Cumberland county, to appoint a new place for holding their courts, and to repeal the act for laying off a town at such place," was read the third time.

*Resolved,* That the bill do pass, and that the title be "an act to empower the justices of Cumberland and Fluvanna counties respectively, to appoint new places for holding their courts, and to repeal the act for laying off a town in the county of Cumberland."

*Ordered,* That Mr. Randolph do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the book of Public Claims. And then he withdrew.

A motion being made that the engrossed bill, "for establishing a General Court and Courts of Assize," be read the third time, on the last day of March next,

The previous question was moved.

And the question being propounded, that the main question be now put.

It was resolved in the affirmative.

Then the main question being put, that the engrossed bill "for establishing a General Court and Courts of Assize," be read the third time, on the last day of March next,

The House divided.

The yeas went forth.

Tellers for the yeas, Mr.

Mr.

} 34

Tellers for the noes, Mr.

Mr.

} 40

So it passed in the negative.

*Ordered,* That the names of the members who voted on each side of the question, be entered on the Journal.

The names of the members who voted in the affirmative are, Messrs. Mumford, McDowell, Bowyer, Macklin, Tazewell, Patterson, Harrison of Charles City, Edmondson, Smith of Essex, Woodson, Underwood, Terry, Syme, Anderson, Wilkinson, Adams, Hairstone, Nicholas, Norvell, Wills, Fulgham, Calloway, Dabney, Meriwether, Crocket, Montgomery, Allen, Godfrey, Porter, Thoroughgood, Robinson, Brown, Gee and Judkins.

And the names of the members who voted in the negative are, Messrs. Jefferson, Talbot, Thomas Hite, Lockheart, Pendleton, Upshaw, Strother, Randolph, Carrington, Bird, George Mason, Picket, Hugh Nelson, Zane, Smith of Frederick, Burwell, Abraham Hite, Neaville, Braxton, Griffin, Gordon, Clapham, Daniel, Duval, Muse, Moore, Fleming, Ruffin, Harrison of Prince George, Bullitt, Thornton, Carter, Fitzhugh, Richard Lee, Bledsoe, Cocke of Washington, Wright, Prentis, Jett and Harwood.

An engrossed bill, "for establishing a General Court and Courts of Assize," was read the third time.

And the question being put, that the bill do pass.

The House divided.

The yeas went forth :

Tellers for the yeas, Mr.  
Mr.

} 37 Tellers for the noes, Mr.  
Mr.

} 35

So it was resolved in the affirmative ;

And that title be, "an act for establishing a General Court and Courts of Assize."

*Ordered*, That Mr. Prentis do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for establishing a High Court of Chancery," was read the third time ;

*Resolved*, That the bill do pass, and that the title be, "an act for establishing a High Court of Chancery."

*Ordered*, That Mr. Prentis do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That the committee of Propositions and Grievances, be discharged from proceeding upon the petitions of John Smith, Cornelius Calvert and Edward Hansford, and that the said petitions be referred to the committee on the report from the commissioners appointed to inquire into, and ascertain the losses sustained by the late inhabitants of the borough of Norfolk.

The other orders of the day being read,

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider of the bill "to amend an act, entitled, 'an act, to support the credit of the money issued by the authority of Congress, and by the authority of this Commonwealth, and to make the former current within this Commonwealth.'"

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Ordered*, That the House be called over, on Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

# MONDAY, January 5, 1777

Mr. Richard Lee reported, from the committee of Public Claims, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House ; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz :

*Resolved*, that it is the opinion of this committee, That the petition of James Bennett, setting forth, that Lieut. Charles Collier, with whom he enlisted as a soldier, drew his pay to the amount of 7l. 8s., of which the said Collier paid him only 2l. 6s. ; and praying to have justice done him, be rejected : it being a matter determinable by a court of judicature.

*Resolved*, that it is the opinion of this committee, That Moses Pearson, who enlisted in Capt. Abraham Penn's company of minute men, and whilst at his station at James Town contracted a lingering disorder, which renders him in his present low state unable to labor for a subsistence, ought to be allowed the sum of ten pounds for his present relief.

*Resolved*, that it is the opinion of this committee, That the claim of Vincent Glass, for a horse employed in the service of this State, to assist in transporting the baggage, &c. of Capt. James Dickson's company of militia, from Bedford to Washington county, and lost ; appraised to 10l., be rejected.

*Resolved*, that it is the opinion of this committee, That the claim of Thomas Logwood, for two horses which were employed in the service of this State, on the Cherokee expedition, and lost ; appraised to 21l. 10s., be rejected.

*Resolved*, that it is the opinion of this committee, That Hannah Moody, a poor widow, whose husband Samuel Moody, enlisted as a soldier under Capt. Watkins in the continental service, marched to the northward, and there died ; ought to be allowed the sum of 20l. for the immediate support of herself and three small children ; and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Resolved*, that it is the opinion of this committee, That Mildred Williams, a poor widow, whose husband Lewis Williams, enlisted as a soldier under Capt. Watkins in the continental service, marched to the northward, and there died ; ought to be allowed the sum of 25l. for the support of herself, and five young children ; and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Resolved*, that it is the opinion of this committee, That Mourning Savidge, a poor widow, whose husband Philip Savidge, enlisted as a soldier under Capt. Watkins in the continental service, marched to the northward, and there died ; ought to be allowed the sum of 29l. for the present support of herself and two small children ; and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Resolved*, that it is the opinion of this committee, That Frances Row, a poor widow, whose husband Benjamin Row, enlisted as a soldier under Capt. Thomas Nelson in the continental service, marched to the northward, and there died ; ought to be allowed the sum of 30l. for the present support of herself and children, and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Resolved*, that it is the opinion of this committee, That Anne Burwell, whose negro man slave, was employed as a wagouer in the continental service, and was accidentally drowned by means of the boats sinking, in endeavoring

to cross York river with a quantity of ammunition for the use of Gloucester militia, on an alarm that part of this Commonwealth had been invaded by the enemy, ought to be allowed the sum of 120*l.* for the said slave; and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Resolved, that it is the opinion of this committee,* That Anthony Bledsoe, ought to be paid 5*l.* 14*s.* in addition to the sum allowed him by the auditors, for the return of his wagons and teams, which were employed in transporting the baggage, &c. of two companies of militia, from Long Island to New London in Bedford county, on the Cherokee expedition; also the farther sum of 25*l.* 7*s.* 6*d.*, which the auditors deducted out of his account for the several Sundays which were included within the time the said wagons and teams were employed in the service of the State.

*Resolved, that it is the opinion of this committee,* That the petition of Ralph Stewart, praying to be allowed for his servant man who runaway, and was slain at the battle at Point Pleasant, be rejected.

*Resolved, that it is the opinion of this committee,* That Jonathan Hopkins ought to be allowed the sum of 13*l.* 15*s.* for eleven sets of wheel timber, furnished for the use of the garrison at Portsmouth.

*Resolved, that it is the opinion of this committee,* That Hugh M. Gary, who was employed as an express from Kentucky to Pittsburg, on the late Cherokee expedition, ought to be allowed at the rate of nine pence per mile, for travelling 750 miles, amounting to the sum of 28*l.* 2*s.* 6*d.*

*Resolved, that it is the opinion of this committee,* That the petition of David Gould, praying to be allowed for a horse, furnished Hugh M. Gary, on his journey from Kentucky to Pittsburg as express to Gen. Hand, be rejected.

*Resolved, that it is the opinion of this committee,* That the claim of Nathaniel Henderson, for a horse, purchased of Ebenezer Wood, when ordered express by the commanding officer at Boonsborough to Fort Pitt; and also for his services in the said express, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of Daniel Kidd, praying an additional allowance for his trouble and expenses, in purchasing necessities for the Cherokee expedition, be rejected; a sufficient compensation having been made for the same, by the auditors of public accounts.

The first resolution of the committee, being read a second time, the amendment following was proposed to be made thereunto: to leave out "it being a matter determinable by a court of judicature," and to insert "for want of sufficient proof," instead thereof.

And the question being put, that the words, "it being a matter determinable by a court of judicature," stand part of the resolution,

It passed in the negative.

And the question being put, that the words "for want of sufficient proof," be inserted, instead thereof.

It was resolved in the affirmative.

*Resolved,* That this House do agree with the committee in the said resolution, so amended; that the petition of James Bennett, setting forth, that Lient. Charles Collier, with whom he enlisted as a soldier, drew his pay to the amount of 7*l.* 8*s.*, of which the said Collier paid him only 2*l.* 6*s.* and praying to have justice done him, be rejected for want of sufficient proof.

The 2d, 3d, 4th, 5th, 6th, 7th, 8th, 10th, 11th, 12th, 13th, 14th, 15th and 16th resolutions of the committee being read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 9th resolution of the committee being read a second time,

*Ordered,* That the said resolution be recommitted to the said committee.

*Ordered,* That Mr. Richard Lee, do carry the 2d, 5th, 6th, 7th, 8th, 10th, 12th and 13th, resolutions to the Senate, and desire their concurrence.

The House being informed, that Mr. William Eskridge, one of the members for the county of Northumberland, attended in custody of the serjeant at arms,

*Ordered,* That the said William Eskridge be discharged out of custody, paying fees.

*Ordered,* That a committee be appointed to proportion the public levy.

And a committee was appointed, of Messrs. Richard Lee, Webb, Clapham, Pickett, Jett, Thomas Hite, Meriwether, Munford, Allen, and John Hartwell Cocke.

A message from the Senate by Mr. Mitchell:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for dissolving the vestry of the parish of Christ Church in the county of Lancaster," with several amendments, to which amendments the Senate desire the concurrence of this House. And then withdrew.

Mr. Harrison reported, from the committee of Propositions and Grievances, to whom the bill, "to amend an act, entitled 'an act, for preventing excessive and deceitful gaming,'" was committed, that the committee had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, were agreed to, and others were disagreed to by the House.

*Ordered,* That the bill with the amendments be engrossed.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for establishing a warehouse for the reception of tobacco at South Quay in Nansemond county, and Hobb's Hole in Essex county." And also,



The Senate have agreed to the resolutions of this House, for paying to William Coles, 19*l.* 19*s.* 0*d.*, and to the estate of Adam Cooke, dec'd. 10*l.* 2*s.* 0*d.* without any amendments. And also,

The Senate have agreed to the bill, entitled "an act for speedily recruiting the Virginia regiments on the continental establishment, and for raising additional troops of volunteers." And also,

The Senate have agreed to the bill, entitled "an act to prevent forestalling, regrating, engrossing, and public vendues," with several amendments; to which amendments the Senate desire the concurrence of this House. And then he withdrew.

*Ordered*, That Messrs. Carter and Hairstone, have leave to be absent from the service of this House, for the remainder of the session.

An engrossed bill, "for enabling the public contractors to procure stores of provisions necessary for the ensuing campaign, and to defeat the evil intentions of those who have endeavoured to prevent the public therein;" was read the third time;

And the question being put that the bill do pass,

It passed in the negative.

*Ordered*, That leave be given to bring in a bill, "to prohibit the exportation of beef, pork and bacon, for a limited time;" and that Messrs. George Mason, Pendleton, Zane, Hie, Neaville and Tazewell, do prepare and bring in the same.

Mr. Tazewell reported, from the committee to whom the bill, "to vest certain lands, whereof John Tayloe Griffin, and Mary his wife, are seised in trustees," was committed, that the committee had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, were agreed to by the House.

*Ordered*, That the bill with the amendments be engrossed.

*Ordered*, That leave be given to bring in a bill, "for adjusting and settling the titles of claimants to unpatented lands, under the former government;" and that Messrs. George Mason, Pendleton, Nicholas, Jefferson, Zane, Bullitt and Braxton, do prepare and bring in the same.

The orders of the day being read,

*Resolved*, That this House will, on the first day of March next, resolve itself into a committee of the whole House, to consider of the bill, "to prohibit the importation of slaves."

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill, "for giving proper salaries to certain officers of government."

*Ordered*, That the order that the House be called over, be adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, January 6, 1778.

The House being informed that Mr. James Montague, one of the members for the county of Middlesex, attended in custody of the serjeant at arms;

*Ordered*, That the said James Montague, be discharged out of custody, paying fees.

The House being informed, that Mr. Bolling Starke, one of the members for the county of Dinwiddie, attended in custody of the serjeant at arms; and it appearing there was good cause to excuse his absence, when the House was called over on the 22d day of December last;

*Ordered*, That the said Bolling Starke, be discharged out of custody, without paying fees.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for paying to Mary Durley, 20*l.* And then he withdrew.

Mr. Braxton, presented to the House, according to order, a bill "to revive and amend an act 'for appointing commissioners to ascertain the value of certain churches and chapels in the parishes of Frederick, Norborne, and Beckford, and for other purposes therein mentioned;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

A bill, "for further suspending the payment of the salaries heretofore given to the clergy of the church of England," was read a second time.

*Ordered*, That the bill be engrossed.

An engrossed bill, "to vest certain lands whereof John Tayloe Griffin and Mary his wife, are seised in trustees," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to vest certain lands, whereof John Tayloe Griffin and Mary his wife, are seised in trustees."

*Ordered*, That Mr. Tazewell do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to amend an act, entitled 'an act for preventing excessive and deceitful gaming,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for preventing excessive and deceitful gaming."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

Mr. Mason, presented to the House, according to order, a bill, "to prohibit the exportation of beef, pork, and bacon, for a limited time;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill, "to amend an act entitled 'an act to support the credit of the money issued by the authority of Congress, and by the authority of this Commonwealth, and to make the former current within this Commonwealth.'"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that the committee had directed him to report the bill to the House without any amendment; and he delivered the bill in at the clerk's table.

And the question being put, that the bill be engrossed,

It passed in the negative.

The House proceeded to take into consideration the amendments made by the Senate, to the bill, entitled "an act for speedily recruiting the Virginia regiments on the continental establishment, and for raising additional troops of volunteers."

Page 1st, line 32d; after the word "expire," insert "and the officers and soldiers of the said troops, shall be entitled to, and receive the same bounty, pay, rations, and clothing, as are allowed to the officers and soldiers in the continental service, so long as they continue therein."

Page 1st, line 35th; leave out from the word "child," to the word "in," in the 37th line.

Page 3d, line 3d; leave out from the word "corporation," to the word "and," in the 12th line.

Page 3d, line 24th; leave out from the word "captains," to the word "in," in the 25th line.

Page 3d, line 26th; leave out from the word "therein," to the word "shall," in the 27th line.

Page 3d, line 42d; leave out the word "Justices."

Page 4th, line 12th; leave out from the word "appointed," to the word "but," in the 15th line; and insert, "they shall be deemed deserters and treated accordingly."

Page 4th, line 17th; leave out from the word "any," to the word "commissioned," in the 18th line.

Page 5, line 17; leave out from the word "hands," to the word "and," in the 29th line.

Page 5, line 30; leave out the words "parent and child," and insert "of a child concealing a parent, or a widow her son."

Page 5, line 37; after the word "pounds," insert "to be recovered by action of debt or information, in any court of record, with costs, one moiety thereof to the use of this Commonwealth, and the other to the informer."

Page 5, line 37; after the word "or," insert "in default thereof."

Page 5, line 37; leave out from the word "imprisonment," to the word "and," in the 40th line.

Page 6, line 5; after the word "quakers," insert "and menonists."

Page 6, line 6; leave out the word "may," and insert "shall."

Page 6, line 6; leave out the word "shall," and insert "may."

Page 6, line 7; leave out the words "and Justices."

Page 6, line 10; after the word "quakers," insert "and menonists."

Page 6, line 18; leave out the words "or magistrates."

Page 7, line 1; leave out from the word "and," in the first place, to the word "and" in the first place, 3rd line.

Page 7, line 4; leave out the words "General and."

Page 7, line 18; leave out the words "at present."

Page 7, line 24; leave out the words "or any justice of peace."

Page 8, line 1; leave out the words "general officer," and insert "the commanding officer present."

Page 8, line 6; leave out from the word "commence," to the word "to," in the 9th line," and insert "and the Governor and Council are hereby empowered."

The first of the said amendments being read a second time,

The following amendment was proposed to be made thereunto:

After the word "troops" to insert "and the officers and soldiers of the said battalion, under the command of Col. George Gibson."

And the same was, upon the question put thereupon, agreed to by the House.

Then the said amendment, thus amended, was, upon the question put thereupon, agreed to by the House.

The 2d, 3rd, 4th, 5th, 6th, 8th, 9th, 10th, 13th, 17th, 19th, 20th, 21st, 22d, 23d, 24th and 25th of the said amendments, being read a second time, were, upon the question severally put thereupon, disagreed to by the House.

The other amendments being read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Mason do carry the bill to the Senate, and acquaint them that this House doth agree to the first of the said amendments made by them, with an amendment to the said first amendment, to which amendment to the amendment, this House doth desire the concurrence of the Senate; and that this House doth disagree to the 2d, 3d, 4th, 5th, 6th, 8th, 9th, 10th, 13th, 17th, 19th, 20th, 21st, 22d, 23rd, 24th and 25th of the said amendments, and hath agreed to the rest of them.

The House proceeded to take into consideration the amendments made by the Senate to the bill, entitled "an act, to prevent forestalling, regrating, engrossing, and public vendues."

And the said amendments were read, and are as followeth :

Page 1st, line 11; after the word "purchasing," insert "any".

Page 1st, line 11th; after the word "victual," insert "goods or commodities."

Page 1st, line 24th; after the word "water," insert "nor to any person, commissioned by another, to purchase salt for one year's consumption of his family, such purchase not exceeding one peck for each person therein."

Page 1st, line 25th; after the word "army," insert "or navy."

The first and second of the said amendments, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The third amendment being read a second time, was, upon the question put thereupon, disagreed to by the House.

The other amendment being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Mason do carry the bill to the Senate, and acquaint them that this House hath agreed to the 1st, 2d and 4th of the said amendments, made by them to the said bill; and hath disagreed to the other amendment.

A bill, "to prohibit the exportation of beef, pork and bacon, for a limited time," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the said bill.

A bill to revive and amend an act, "for appointing commissioners to ascertain the value of certain churches and chapels in the parishes of Frederick, Norborne and Beckford, and for other purposes therein mentioned;" was read a second time.

*Resolved*, That the bill be committed to the committee for Religion.

The House proceeded to take into consideration the amendments made by the Senate, to the bill, entitled "an act "for dissolving the vestry of the parish of Christ Church in the county of Lancaster."

And the said amendments were read, and are as followeth :

Line 11th, after the word "suit," insert "now depending, or hereafter to be."

Line 12th, leave out the words, "and now depending."

The said amendments being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Braxton do carry the bill to the Senate, and acquaint them, that this House hath agreed to the amendments made by them.

The orders of the day being read,

*Resolved*, That this House will, on Thursday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which with several other papers, were ordered to lie upon the table.

*Ordered*, That the order that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

WDENESDAY, January 7, 1778.

Mr. Fleming reported, from the committee appointed to examine the treasurer's accounts, that the committee had accordingly examined the said accounts, and had directed him to report the same, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz :

The committee appointed, to examine the treasurer's accounts, have according to order, carefully examined, and compared the same with their proper vouchers from the 15th day of January, 1777, to the 19th day of October, following, inclusive; and also compared the warrants from the Governor, and those from the commissioners of the navy, and the certificates from the commissioners appointed to audit the public accounts, with the books kept by those boards respectively; in consequence whereof, it appears, that the treasurer hath paid the sum of 15*l.* 6*s.*, on a forged account, which had been passed by the auditors; and also three other sums of money amounting to 757*l.* 18*s.* 11*d.* on forged certificates of the said auditors, and the further sum of 1,022*l.*, on a forged warrant from the Governor, amounting in the whole to 1,795*l.* 4*s.* 11*d.*, to a particular list of which, hereto annexed, your committee begs leave to refer.

Your committee also, compared the said forged warrants and certificates with some of those that were found good, by agreeing with the Council and auditor's books, and find that though the forged warrant and certificates differ from the true ones in some particulars, yet the forgeries, so nearly resemble the true ones, that any unsuspecting per-



son might easily have been deceived by them; but whether the money paid in consequence of the said forgeries is to be the loss of the Commonwealth, or of the treasurer, is submitted to the General Assembly.

It further appears to your committee, that the treasurer received of Robert Carter Nicholas, Esq. late treasurer, 2*L*. 13*s*. 8 1-2*d.*, as the balance of his account rendered to, and passed by the last Assembly; that of the 500,000*l.* directed by act of Assembly, passed in October, 1776, to be emitted, the treasurer hath emitted 349,445*l.* 3*s.*, which with the sum emitted by the late treasurer, and credited in his last account, and the sum of 2,000*l.* borrowed by the treasurer, at four per cent., of the executor's of Josiah Graubury, but not yet credited, as the same is to be discounted with Colonel Willis Riddick, on payment of a warrant from the Governor in his favor, for the like sum, which is not yet charged, completes the grant aforesaid, except 305*l.* 17*s.*, which the treasurer informs was not printed, or the sheets spoiled at the press, and therefore not signed or emitted. That of the 300,000*l.* granted by the Assembly in May last, he has credited 48,551*l.* 17*s*. 9*d.* for so much borrowed, and the further sum of 1,300*l.*, for so much emitted; and that he has received of sheriffs, and sundry other persons 35,621*l.* 0*s*. 10 1-2*d.*

It further appears to your committee, that he hath paid on various accounts, since he hath entered on the execution of his office, the sum of 411,850*l.* 7*s*. 1*d.*; so that the balance due to the public at the time of rendering the accounts, (if the payments on the forged certificates are allowed) was 23,070*l.*, 8*s*. 3*d.*; which sum it appears, was in the treasury at that time, as your committee examined the vouchers for payments since made, as well as credits since received; and also examined and counted the money in the treasury, and found the same to be right, except 12*l.*, which appears to be forged; but whether the same shall be the loss of the Commonwealth, or of the treasurer, is also submitted to the General Assembly.

It further appears, that in the amount of payments aforesaid, is included the sum of 10*l.* 10*s*. 0*d.* paid out of the proceeds of Lord Dunmore's estate, which your committee being of opinion the treasurer was not authorised to do, he promised to credit in his new account.

Your committee find, that the accounts are fairly and properly stated, and have been accurately kept, having discovered only two or three trifling errors; the balance of which did not amount to one shilling.

For the more clear explanation of the matter, your committee beg leave to refer to the general state following:

<i>Dr.</i>		<i>The Treasury in account with</i> GEORGE WEBB, <i>Treasurer.</i>		<i>Cr.</i>
To Cash paid sundry persons, per account,	£ 411,850 7 1	By Robt. C. Nicholas, late treasurer, balance per account, rendered last Assembly,		£ 2 13 8 1-2
Balance to new account,	23,070 8 3	By amount of Cash received of the signer's part of the 500,000 <i>l.</i> per account of Assembly, passed October, 1776,	349,445 3 0	
		By do. of do. part of the 300,000 <i>l.</i> by act passed May, 1777.	1,300 0 0	
		By Cash on loan, part of the said sum per same account,	48,551 17 9	
		By do. received of the sheriffs and sundry other persons,	35,621 0 10 1-2	
	£ 434,920 15 4			£ 434,920 15 4
		By balance to new account,		£ 23,070 8 3
		By mistakes in charge of payment of proceeds of Lord Dunmore's estate,	10 10 0	
				£ 23,080 18 3

*A List of forged Certificates and Governor's Warrant.*

<i>Time.</i>	<i>To whom paid.</i>	<i>For what due.</i>	<i>Sums.</i>	
1777.—March 13th,	James Martin.	Work done by William Granbury.	£ 15 6 0	Allowed by the Auditors.
	James Martin.	For John Nimrod, for guns.	186 3 0	Certificate Forged.
17th,	James Martin.	For Richard Stuart, for do.	211 14 11	Ditto Ditto
23rd,	James Martin.	For William Granbury, for do.	360 1 0	Ditto Ditto
May 21st,	James Martin.	For Luke Sumner, for negroes blankets.	1,022 0 0	Governor's Warrant.

The said report being read a second time, was, upon the question put thereupon, agreed to by the House.

*Resolved*, That the forged certificates and warrants mentioned in the said report, are not to be considered as the private loss of the said treasurer; but ought to be borne by the public.

*Ordered*, That Mr. Fleming do carry the report and resolution to the Senate, and desire their concurrence.

The Speaker laid before the House several resolutions of Congress the 20th day of last month, with a letter from the President;

And the said resolutions and letter were read.

*Ordered*, That the said resolutions and letter, be referred to the committee of the whole House, on the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

Mr. Harrison, presented to the House according to order, a bill, "for adding part of the county of Westmoreland to King George, and part of the county of King George to Westmoreland," and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

An engrossed bill, "for further suspending the payment of the salaries heretofore given to the clergy of the church of England," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for further suspending the payment of the salaries heretofore given to the clergy of the church of England."

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

Mr. Pendleton, presented to the House according to order, a bill, "for raising a supply of money for public exigencies," and the same was received and read the first time."

*Resolved*, That the bill be read a second time.

*Ordered*, That Mr. Gordon have leave to be absent from the service of this House for the remainder of the session.

Mr. Harrison reported, from the committee to whom the bill, "to empower John Ballendine to open the falls of James river," was committed, that the committee had gone through the bill and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill with the amendments in at the clerk's table, where the amendments were read;

*Ordered*, That the consideration of the said report, be postponed until the 10th day of March next.

Mr. Richard Lee reported, from the committee of Public Claims, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That Sarah Figg, and Diana Buck, two poor widows, whose husbands, James Figg, and John Buck, enlisted as soldiers under Captain Thomas Nelson, in the continental service, marched to the northward and there died; ought to be allowed the sum of 20*l.* each, for the present support of themselves and their children and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of Anne Adams, be rejected.

*Resolved*, that it is the opinion of this committee, That Alexander Purdie, ought to be allowed the sum of 95*l.*, for extraordinary services in printing sundry copies of the test act, certificates, militia act, &c. and furnishing the paper for that purpose.

*Resolved*, that it is the opinion of this committee, That the officers and soldiers stationed at Fort Pitt, Wheeling, Little Kanawha, and Point Pleasant, ought to be allowed the difference between the pay they were entitled to according to the terms of their enlistment and the continental pay which they have received from the 1st day of March last.

*Resolved*, that it is the opinion of this committee, That Littlebury Mosby, whose wagon and team were employed in transporting the baggage of Capt. Robert Hughes's company of militia to Williamsburg, and in a few days after their arrival, two of the horses strayed away or were stolen, and have not been recovered, nor any satisfaction received by himself, or any other person for him; ought to be allowed the sum of 50*l.*, being the appraised value of the said horses.

*Resolved*, that it is the opinion of this committee, That James Smith, ought to be allowed for nursing and maintaining his two sons, Joshua and Charles Smith, for five hundred and sixty two days, (who were at that time soldiers in the continental service, and had leave of absence for the recovery of their health) at the rate of 10*d.* per day, amounting in the whole to 23*l.* 8*s.* 4*d.*, also the further sum of 4*l.* for medicines; and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of Dorsey Penticost, praying to be allowed for his services as county lieutenant for the district of West Augusta, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of Benjamin Blackburn, praying to be allowed for the transportation of a quantity of powder from Williamsburg to Botetourt county, of which he lost 50 lbs., be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of Peter Hommel, praying to be allowed for maintaining James Evans, a wounded soldier in the minute service, be rejected for want of proof.

*Resolved*, that it is the opinion of this committee, That the several petitions of Edward Archer, William Lewis, Richard Stevens, Margaret Hamilton, Margaret Rawlings, Richard Morris, Thoroughgood Smith administrator of

Patrick Galt, deceased, James Dunn, Jacob Cogar, Nicholas Parker, William M'Clannaham, Charles Sayer, John Rose, Thomas Collis, Rebecca Coleman, Peter Hansborough, Mills Wilkinson and Elias Barnaby, ought to be referred to the consideration of the next session of Assembly.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Lee do carry the 1st, 3d, 4th, 5th and 6th resolutions to the Senate, and desire their concurrence.

*Ordered*, That the state of Public Trade, which was laid before the House on the 9th day of December last, be referred to the committee of Trade; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Messrs. Anderson and Moore, be added to the said committee.

The orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill, "to prohibit the exportation of beef, pork and bacon, for a limited time."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill, "for giving proper salaries to certain officers of government."

*Ordered*, That the order that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, January 8, 1778.

Mr. Harrison reported, from the committee of Propositions and Grievances, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That Charles Fulgham, ought to be allowed and paid out of the estate of John Goodrich the elder, the sum of 44*l.* 17*s.* 6*d.*, for the hire of, and the expense he was put to, in getting a negro boy, taken from him by the said Goodrich, and carried into North Carolina.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Charlotte, praying, that public post-riders may be established through the counties lying on the southwestern side of James river, be rejected.

*Resolved*, that it is the opinion of this committee, That Isaac Zane ought to be allowed the sum of twenty-one pounds nineteen shillings and sixpence, out of the estate of Lord Dunmore, in proportion with his other creditors.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Harrison do carry the first and third resolutions to the Senate, and desire their concurrence.

Mr. Mason presented to the House, according to order, a bill, "for establishing a land office, and for ascertaining the terms and manner of granting waste and unappropriated lands;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the letters from the Governor, which, with several other papers, were ordered to lie upon the table;

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had come to another resolution, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolution of the committee was read, and is as followeth, viz:

*Resolved*, that it is the opinion of this committee, That certain persons be appointed to seize a sufficient quantity of provisions, for the use of the army, in the hands of those by whom they have been, or shall be engrossed, in order to sell again, paying the holders a reasonable price for the same.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That it be an instruction to the committee to whom the bill, "to prohibit the exportation of beef, pork and bacon, for a limited time," was committed, that they have power to receive a clause or clauses, pursuant to the said resolution.

Mr. Starke also acquainted the House, that he was directed by the committee to move that they may have leave to sit again.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.



A bill, "for establishing a land office, and for ascertaining the terms and manner of granting waste and unappropriated lands," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the said bill.

A message from the Senate by Mr. Carrington :

MR. SPEAKER,—The Senate hath agreed to the amendment made to their first amendment to the bill, entitled "an act for speedily recruiting the Virginia regiments on the continental establishment, and for raising additional troops of volunteers;" they recede from their 4th, 5th, 6th, 8th, 9th, 13th, 17th, 19th, 22d and 23rd amendments and do insist on their 2d, 3rd, 10th, 20th, 21st, 24th and 25th amendments, to which this House hath disagreed and desire this House to recede from their disagreement to the said amendments. And also,

The Senate do recede from their amendment to the bill, entitled "an act to prevent forestalling, regrating, engrossing, and public vendues," to which this House hath disagreed. And then he withdrew.

*Ordered*, That the several petitions of divers inhabitants of the counties of Buckingham, Hanover, Henrico, Kentucky, Orange, Culpeper, Spotsylvania, Pittsylvania, Montgomery and Washington; and also the several petitions of John Reveley, Isaac Thomas, John Mayo, Leonard Croucher, William Savage, Edward Archer, John Owens and William Frazer, be referred to the consideration of the next session of Assembly.

The House proceeded to take into consideration the message from the Senate, insisting on their 2d, 3d, 10th, 20th, 21st, 24th, and 25th amendments, to the bill, entitled "an act for speedily recruiting the Virginia regiments on the continental establishment, and for raising additional troops of volunteers;"

And the said 2d, 3d, 10th, 21st, 24th and 25th of the said amendments, being twice read,

*Resolved*, That this House doth insist on their disagreement to the said amendments.

The 20th amendment being twice read,

The amendment following was proposed to be made thereunto: instead of the words "left out," to insert "the whole shall be under the command of two brigadier generals, if the number of volunteers who may enlist into the service, shall make it necessary to appoint them."

And the question being put, that the House doth agree with the Senate in the said amendment, thus amended; It was resolved in the affirmative.

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and acquaint them that this House doth insist upon their disagreement to the 2d, 3d, 10th, 21st, 24th and 25th amendments, made by them to the said bill; and doth agree to their 20th amendment, with an amendment to the said amendment, to which amendment to the amendment, this House doth desire the concurrence of the Senate.

A message from the Senate by Mr. Matthews:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for forming several new counties, and reforming the boundaries of two others," with several amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

A letter from General Hand to the Governor, together with several papers concerning the murder of some Indian at Fort Pleasant, was laid before the House;

And the said letter and papers, were read;

*Ordered*, That the said letter and papers, be referred to the committee of the whole House on the letters from the Governor; which, with several other papers, were ordered to lie upon the table.

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill, "to prohibit the exportation of beef, pork and bacon, for a limited time."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill, "for giving proper salaries to certain officers of government."

*Ordered*, That the order that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, January 9, 1778.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill, "to prohibit the exportation of beef, pork and bacon, for a limited time;"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards

delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, were agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

A message from the Senate by Mr. Lewis:

X MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act for establishing a High Court of Chancery.” And then he withdrew.

*Ordered*, That Mr. Harrison of Charles City, have leave to be absent from the service of this House, until Tuesday next.

A message from the Senate by Mr. Henry Lee:

X MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act, to amend an act, entitled ‘an act, limiting the time for continuing the delegates to General Congress in office, and making provision for their support, and for other purposes.’” And then he withdrew.

A message from the Senate by Mr. Jones:

X MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act for further suspending the payment of the salaries heretofore given to the clergy of the church of England.” And then he withdrew.

A message from the Senate by Mr. Cabell:

X MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act to empower the justices of Cumberland and Fluvanna counties, respectively, to appoint new places for holding their Courts; and to repeal the act, ‘for laying off a town in the county of Cumberland;’” and also,

Y Mildred Williams, 25*l*.; Mourning Savidge, 20*l*.; Frances Row, 30*l*.; Anthony Bledsoe, 31*l*. 1*s* 6*d*.; Hugh M. Gary, 28*l*. 2*s*. 6*d*.; Sarah Figg, and Diana Buck, 20*l*. each; Alexander Purdie, 95*l*.; Littlebury Mosby, 50*l*.; and James Smith, 27*l*. 8*s*. 4*d*.; and to the officers and soldiers stationed at Fort Pitt, Wheeling, Little Kanawha, and Point Pleasant, the difference between the pay they were entitled to, according to the terms of their enlistment, and the continental pay which they have received from the first day of March last. And then he withdrew.

Mr. Harrison reported, from the committee to whom the account of the public trade was referred, that the committee had examined the said account, and come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolution of the committee was read, and is as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the account of the public trade, rendered by Mr. William Aylett, is drawn up and stated in so short a manner, that it is impossible for your committee, during this session, fully to investigate the same; and, that the said account ought to be referred to proper persons, to examine, state, and settle, and make report thereupon to the next session of Assembly.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

A bill, “for raising a supply of money for the public exigencies,” was read a second time;

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the said bill.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate do adhere to their second, third, and tenth amendments to the bill, entitled “an act for speedily recruiting the Virginia regiments on continental establishment,” to which this House have disagreed; they agree to the amendment made to their twentieth amendment, and recede from their twenty-first, twenty-fourth, and twenty-fifth amendments. And then he withdrew.

X *Resolved*, That this House doth recede from their disagreement to the said 2d, 3d and 10th amendments.

*Ordered*, That Mr. Mason do carry the bill to the Senate, and acquaint them that this House doth recede from their disagreement to the 2d, 3d and 10th amendments, made by them to the said bill.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill, “for establishing a land office, and for ascertaining the terms and manner of granting waste and unappropriated lands;”

*Resolved*, That this House will, on Monday next, resolve itself into the said committee.

*Resolved*, That this House will, on Wednesday next, proceed by joint ballot with the Senate, to the choice of three Judges of the High Court of Chancery.

Mr. Braxton reported, from the committee, to whom the bill, “to revive and amend ‘an act, for appointing commissioners, to ascertain the value of certain churches and chapels, in the parishes of Frederick, Norborne and Beckford, and for other purposes therein mentioned,’” was committed; that the committee had gone through the bill, and made an amendment thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendment, in at the clerk's table, where the amendment was twice read; and, upon the question put thereupon, agreed to by the House.

And the House being informed, that there were other amendments necessary to be made to the bill,

*Resolved*, That the bill be recommitted to the said committee.

Mr. Jefferson, reported from the committee, appointed to prepare reasons to be offered to the Senate, at the con-



ference to be desired of them on the subject of the last conference; that the committee had accordingly prepared, what they thought would be proper to be offered at the said conference; and he read the same in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

*Reasons, to be offered at the conference to be desired of the Senate, in answer to their reasons delivered at the last conference:*

The House of Delegates, not being satisfied with the reasons urged by the Senate, in support of their amendments to the resolution for allowing to Thomas Johnson the sum of 15*l.* 5*s.* 6*d.*, have desired this second conference to shew the insufficiency of the said reasons, and to propose that some expedient may be adopted by the two Houses, for reconciling their difference of opinion.

The resemblance between the constituent parts of our legislature, and that of Great Britain, is supposed by the Senate, so faint, that no ground remains for those jealousies, which have prompted the Commons of Great Britain against their House of Lords. This might have been, and doubtless was, urged, at the time our constitution was formed, as a reason why the Senate and Delegates should have equal powers over money bills. But the argument having been then overruled, and the powers of the Senate, as to this point, being fixed, by the constitution, on the same restricted footing, with those of the Lords in the British legislature, it is conceived not to be the proper question of this day, whether the resemblance between them, in general, be faint or strong, well or ill-grounded, but, whether the constitution has not made them to resemble in this point.

Had those who framed the constitution, as soon as they had completed that work, been asked, man by man, what a money bill was, it is supposed that, man by man, they would have referred for answer to the well known laws and usages of Parliament; or, would have formed their answer, on the Parliamentary idea of that term. Its import, at this day, must be the same as it was then. And it would be as unreasonable, now, to send us to seek its definition in the subsequent proceedings of that body, as it would have been for them, at that day, to have referred us to such proceedings before they had come into existence. The meaning of the term, must be supposed complete, at the time they used it; and to be sought for, in those resources only, which existed at the time. Constructions, which do not result from the words of the legislator, but lie hidden in his breast, till called forth, *ex post facto*, by subsequent occasions, are dangerous; and not to be justified by ordinary emergencies.

Nor do we, by this, set up the Parliament of England, as the expositor of our constitution, but the law of Parliament, as it existed, and was evidenced by usage, at the time the term in question was inserted in our instrument of government; a law coeval with the common law itself, and no more liable, as adopted by us, to subsequent change, from that body, than their common or statute law, which we have in like manner adopted. To suppose this branch of law, not existing in our code, would shake the foundation of our whole legal system; since every legislative proposition which has been past or rejected since the first establishment of a legislature in this country, has been determined to be law, or not law, by the forms of Parliamentary proceeding.

With as little justice may it be said, that this is referring for the definition of a term, to multiplied disputes, which have for ages agitated the Parliament of England, and which no time will decide; that it is proving what is clear, by what is very obscure; and unsettling what is fixed: since we conceive that researches into Parliamentary history, will decisively shew, that their practice in this matter has been clear, fixed, and ancient; and, that for ages past, it has produced no agitation, unless we call by that name some groundless assertions of the Lords in the course of the last century. Yet, these assertions they departed from in practice, at the very time they advanced them: and at all times after, they stand contradicted by the declarations of the Commons, and the constant usage of both Houses; which, agreeing together, are supposed to form the strongest evidence what the law of Parliament is on this point.

To prove this right, as uniformly claimed and exercised by the Commons, and assented to in practice by the Lords, the Delegates will subjoin some proceedings of Parliament, in addition to the passage cited by the Senate.

That a bill, for raising money by way of tax, is a money bill, is admitted by the Senate, and need not therefore be proved.

That bills, for raising money by rates, and impositions on merchandise, are also considered as money bills, will appear, on recurring to the Parliamentary proceedings of 1671, in which it is affirmed, "that there is a fundamental right in the House of Commons alone, in bills of rates and impositions on merchandise, as to the matter, the measure, and the time;" and also, by their declaration of 1689, "that the Commons have always taken it for their undoubted privilege (of which they have ever been tender and jealous,) that, in all aids given to the King by the Commons, the rate or tax ought not to be any way altered by the Lords," which is supposed to be the passage cited by the Senate, as of the year 1671.

That bills, for applying forfeitures in aid of the public revenue are not amendable by the Lords, appears by the proceedings of 1700, on the bill, "for applying Irish forfeitures to the use of the public," to which the Lords were not permitted to make any amendments.

The right of levying money, in whatever way, being thus exercised by the Commons, as their exclusive office, it follows, as a necessary consequence, that they may also exclusively direct its application. "*Cujus est dare, ejus est disponere*," is an elementary principle, both of law and reason: That he who gives, may direct the application of the gift: or, in other words, may dispose of it: that, if he may give absolutely, he may also carve out the conditions, limitations, purposes, and measure of the gift, seems as evidently true, as, that the greater power contains the lesser.

Parliamentary usage, has accordingly, approved this reasoning.

In July, 1678, the Commons resolved, "that it is their undoubted and sole right, to direct, limit, and appoint,



in all aids and supplies granted to the King, the ends, purposes, conditions, considerations, limitations, and qualifications, of such grants; which ought not to be changed by the House of Lords."

In December of the same year, the Commons having directed the payment of money, and the Lords proposed an amendment thereto, the former declared, "that their Lordships never before changed any such disposition made on a supply granted by the Commons."

In 1701, the Lords having amended a bill, "for stating and examining the public accounts," by inserting a clause for allowing a particular debt, the Commons disagreed to the amendment; and declared for a reason, "that the disposition, as well as granting, of money by act Parliament, hath ever been in the House of Commons; and, that the amendment relating to the disposal of money, does entrench upon that right."

And, to a bill of the same nature, the year following, the Lords having proposed an amendment, by adding the names of some commissioners, the Commons disagreed to the amendment, and declared "That their right in granting, limiting, and disposing public aids, being the main hinge of the controversy, they thought it of the highest concern that it should be cleared and settled." They then go on to prove the usage, by precedents and declarations, and, from these conclude, "That the limitation, disposition, and manner of account, belongs only to them."

In reply, the Lords said, "They declined all arguments concerning the rights of the Commons in granting, limiting, and disposing public aids; and, therefore, forbore to answer any arguments of that kind;" but proceeded to insist, that the business then depending was of quite another nature. And, at some subsequent conferences between the two Houses, during the same session, it was repeatedly declared, "That the Lords could not supply any deficiency, or apply any surplussage of the public money, in case any should be found." And this declaration does not appear to have been contradicted by the Lords, either then or at any time after.

These precedents are supposed to prove, not only that the disposal or application of public money is, equally with the raising of it, the exclusive office of the Commons, but also, that it makes no difference whether it be of money then actually in the treasury, or yet to be raised on the people; nor whether the raising and disposing be in the same or in separate bills.

Though the precedents, referred to by the Senate, in the proceedings of the Council and House of Burgesses, in the years 1771, 1772, and 1773, (the first of which, however, we suppose to be mistaken for 1772,) might, perhaps, be well accounted for from their particular nature, from the history of the times, or from other causes; and though the delegates might produce, from the same records, proofs, much more decisive in their favor, yet they decline resting the matter on that bottom: because, they are of opinion, that the present determination ought not to be influenced by the practice of those who have themselves only copied from the same original. Their practice, and our opinions, must be proved by the same common rule,—the *law and practice of Parliament*. Their acknowledgement of the rule, proves their submission to it, and that their practice should be tried by the law, not the law by their practice.

How dangerous it is to appeal to other authorities from the Parliamentary records, the true text of decision, will appear also by examining the whole passage, of which a part only was cited from the Commentaries of Judge Blackstone; a writer, celebrated indeed; but, whether most for his attachment to the prerogatives of the crown, or to the rights of the people, would be worthy of consideration, where the question is on one of those rights, which have been of the greatest value to the people—the *right of giving and disposing of their own money*. That writer, after the definition cited from his book by the Senate, goes on to quote a passage from Judge Hale's treatise on the jurisdiction of Parliament, which is to be found more at large in Broke's Abridgment, under the title 'Parliament. Pl. 4.' there it appears to be a saying of Kerbie, a clerk of the Parliament, who lays down in express terms, or by direct implication, these following positions, as of the law of Parliament:

1st. That the Lords may amend a bill for granting aids.

2d. That, if the amendment be by shortening the duration of the grant, they need not return the bill to the Commons for their concurrence.

3d. That the King may alter a bill.

Broke indeed adds a quere to the case; but that Judge Blackstone, disapproved of it, cannot be inferred from his words. It is therefore submitted to the consideration of the Senate, whether they would set up as an arbiter of Parliamentary law, a writer who can cite or refer to such positions, without condemning them, in decisive and unequivocal terms; for that part of his book, too, which the Senate quote and rely on, he cites no authority whatever. Are we then to take it upon his affirmation, when contradicted by the uniform current of Parliamentary usage? But, waving further examination of the legality of his opinion, it suffices to observe, as a full answer to it, that the judges of the common law can take no cognizance of the law of Parliament: It can never come judicially in question before them. Their sayings, or opinions on the subject, must be ever extra-judicial; and they have accordingly always disclaimed a right to give judgment on them. Definitions therefore, of Parliamentary law, by any other court, by a member of court, or by a private individual, must be rejected as inauthoritative in a Parliamentary disquisition.

For these reasons, the delegates still think, that the Senate have no authority to amend the vote in question. But open to conviction, if it can be shewn they are wrong, and actuated by a strong desire to promote the public service, as well as to preserve the constitution entire, they propose to the Senate, if they should still adhere to their former opinions, that a select committee may be appointed by each House, to meet together in free conference, and endeavor to define the office of the two Houses in bills, clauses, and votes, relating to money; and that such definition, if approved by both Houses, may be confirmed by act of Assembly.

The said report being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Jefferson do go to the Senate, and desire a conference on the subject matter of the last conference.

The other order of the day being read,

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, on the bill, "for establishing a land office, for ascertaining the terms and manner of granting waste and unappropriated lands."

And then the House adjourned till to-morrow morning, 10 o'clock.

### SATURDAY, January 10, 1778.

The House proceeded to take into consideration, the amendments made by the Senate to the bill, entitled "an act, for forming several new counties, and re-forming the boundaries of two others,"

And the said amendments were read, and are as followeth, viz:

Page 1st, line 2d; leave out the word "great," and insert "many."

" " " 4th; leave out the word "February," and insert "March."

" " " 9th; leave out from the word "Hampshire," to the word "and," in the 17th line.

" " " 17th; leave out the word "February," and insert "March."

" " " 26th; leave out from the word "river," to the word "and," in the 32d line of the 3d page; and insert "and all the residue of the said parish and county of Botetourt, shall retain the name of Botetourt; the line shall be run by the surveyor of the county of Botetourt at the equal expense of the two counties, to be levied by their respective courts; and the line between the counties of Augusta and Hampshire, shall be run by the surveyor of Hampshire, at the expense of the said county. For administration of justice in the county of Greenbrier, after the commencement thereof, a court shall be held therein on the third Tuesday in every month. The justices, to be named in the commission of the peace for the said county of Greenbrier, shall meet on the first Tuesday in March next, at the house of John Stewart, and having themselves taken the oaths required by law to be administered to the presiding justice, by any two other members, and then by him to the other justices, may administer the oath of office to the sheriff, who shall be appointed by the Governor, with the advice of the Privy Council; and shall take bond of such sheriff, as the law directs. The said court may likewise proceed to appoint and qualify a clerk of the peace, and to fix on a place for holding courts in the said county, at or as near the centre thereof, as convenience will admit, and shall thenceforth proceed to erect the necessary public buildings at the said place, and shall also appoint such place or places, as they shall think fit, for holding courts in the mean time, until such buildings shall be completed; and may adjourn themselves to such places as they shall appoint. After the public buildings shall be provided, the courts of the said counties shall be thenceforth held at such place. *Provided*, That the appointment of a clerk of the peace, and of a place for holding courts, shall not be made unless a majority of the justices be present; but if such majority shall have been prevented from attending by bad weather or other unavoidable accidents, in such case the appointment shall be postponed until the next court day, and so from court day to court day, as such accidents shall happen. The sheriffs and collectors of the counties and parishes of Botetourt, Montgomery, and Augusta, shall, nevertheless, have power to collect and distrain for all public dues, or fees, which shall remain unpaid by the inhabitants of the county and parish of Greenbrier, that part of the parish and county of Greenbrier, that part of the parish and county of Montgomery which is added to Greenbrier, and that part of the parish and county of Augusta, which is added to Hampshire, respectively, at the time of the several divisions taking place, and shall be answerable for the same in like manner as if this act had never been made. The courts of the counties of Botetourt, Montgomery and Augusta, shall have jurisdiction of all actions and suits, which shall be depending before them respectively, at the time the divisions shall take place, and may issue process and award execution therein in like manner as if the said counties remained entire. In all future elections of senators to serve in General Assembly, the said county of Greenbrier, shall be of the same district of which the county of Botetourt now is; and whereas the inhabitants of the parish of Botetourt have failed to elect a vestry, as directed by an act of the last session of Assembly, entitled, "an act to empower the vestry of the parish of Botetourt to dispose of their glebe, for dissolving the said vestry and for other purposes:" *Be it therefore enacted*, That the inhabitants of the parish of Botetourt, and Greenbrier respectively, shall meet at some convenient time and place, to be appointed and publicly advertised by the sheriffs of the said counties, before the first day of May next, and then and there elect twelve able and discreet persons in their parishes, who, on qualifying themselves according to law, shall be a vestry for the said parishes, respectively. *And be it further enacted*, That the vestry of Botetourt, so elected and qualified, shall be vested with all the powers, given and intended by the aforesaid rected act; and that the said vestry shall have power, in like manner, as to the parish of Greenbrier."

In the title of the bill { Leave out the word "several," and insert "a."  
 { Leave out the word "counties," and insert "county."

The first and second amendments being read a second time, were, upon the question severally put thereupon, agreed to by the House.

The third amendment being read a second time, was, upon the question put thereupon, disagreed to by the House.

The fourth amendment being read a second time, was, upon the question put thereupon, agreed to by the House.



The fifth amendment being read a second time, the amendment following, was proposed to be made thereunto : to leave out from the word "top" in the 30th line, to the word "all" in the 36th line of the first page of the bill ; and insert the words "of the mountain dividing the waters of the Calf Pasture from the waters of the Cow Pasture, and thence along the said mountain, crossing Panther's Gap, to the line that divides the counties of Augusta and Botetourt; and that the remaining part of the county of Botetourt be divided by a line to begin at Audley Paul's, and running thence south 55 degrees east, crossing James river to the top of the Blue Ridge; thence along the same, crossing James river to the beginning of the aforesaid line dividing Augusta county; then beginning again at the said Audley Paul's, and running north 55 degrees west, till the said course shall intersect a line to be run south 45 degrees west, from the place where the above line dividing Augusta terminated," instead thereof; and to leave out from the word "Rockbridge" in the 41st line of the second page, to the word "that" in the 14th line of the 3d page of the bill; and insert the words, "*Be it enacted*, that the clerks of the counties of Augusta and Botetourt, make out a docket of all such suits and petitions in their respective courts, and deliver the same to the clerks of the said counties of Rockingham, Greenbrier, and Rockbridge, respectively, together with all papers filed therein, and a copy of all costs; and shall take such clerk's receipt for the same; and thereupon the courts of the said counties shall have jurisdiction thereof, in as full and ample a manner as if they had originally commenced in such counties; and the courts of the said counties of Augusta and Botetourt, shall have jurisdiction of all other actions and suits now depending before them respectively, in the same manner as if this act had never been made and provided."

And the said amendments were, upon the question severally put thereupon, agreed to by the House.

The subsequent amendments, being severally read a second time, were, upon the question severally put thereupon, disagreed to by the House.

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and acquaint them, that this House have agreed to the 1st, 2d, and 4th amendments made by them to the bill, entitled "an act for forming several new counties, and re-forming the boundaries of two others;" and have agreed to the third amendment made by them, with an amendment to the said third amendment, to which amendment to the amendment, this House doth desire the concurrence of the Senate; and that this House have disagreed to the other amendments, made by them to the said bill.

*Ordered*, That the public printer do immediately print 300 copies of the act of Assembly, "for speedily recruiting the Virginia regiments on the continental establishment, and for raising additional troops of volunteers."

*Ordered*, That Mr. Woodson have leave to be absent from the service of this House, for the remainder of the session.

An engrossed bill, "to prohibit the exportation of beef, pork, and bacon, for a limited time," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act for enabling the public contractors to procure stores of provisions necessary for the ensuing campaign, and to prohibit the exportation of beef, pork, and bacon, for a limited time."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill, for raising a supply of money for public exigencies."

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming, reported from the committee, that they had made a progress in the bill; and that he was directed by the committee, to move that they may have leave to sit again.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider further of the said bill.

A message from the Senate by Mr. Winston :

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act to prohibit the exportation of beef, pork, and bacon, for a limited time," with several amendments, to which amendments the Senate desire the concurrence of this House. And also,

The Senate will, on Wednesday next, proceed by joint ballot with this House, to the choice of the Judges of the High Court of Chancery. And also,

The Senate do agree to the conference desired by this House on the subject of the last conference. And then he withdrew.

*Resolved*, That the two Speakers of the General Assembly be desired to write to the President of the honorable the American Congress, to inform him that an act hath passed in this present session, "for completing this Commonwealth's quota of the troops on continental establishment, and for raising a corps of five thousand volunteers for six months service, to reinforce the army under the command of his excellency General Washington, at the opening of the next campaign;" and that they transmit him a copy of the said act.

*Resolved*, That the Governor, be desired to transmit to the Governor of North Carolina, a copy of the act of Assembly "for enabling the public contractors to procure stores of provisions necessary for the ensuing campaign, and to prohibit the exportation of beef, pork and bacon, for a limited time;" and inform him of the necessity which



the legislature of this Commonwealth hath been under, to adopt the most speedy and effectual measures, for supplying the army with provisions; and represent the expediency of our sister States co-operating therein, in case their Assembly is now sitting, or their executive is vested with powers for that purpose.

*Ordered*, That the House be called over on Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

### MONDAY, January 12, 1778.

*Resolved*, That Messrs. Jefferson, Pendleton, Bullitt, Meriwether, Fleming and Randolph, do manage the conference agreed to by the Senate, on the subject matter of the last conference;

And the names of the managers were called over, and they went to the conference.

Mr. Mason, presented to the House according to order, a bill, "to amend an act, entitled 'an act to regulate the inoculation of the smallpox within this colony;'" and the same was received and read the first time;

*Resolved*, That the bill be read a second time.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill, "for raising a supply of money for the public exigencies;"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming, reported from the committee, that they had made a further progress in the bill; and that he was directed by the committee, to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the said bill.

A message from the Senate by Mr. Matthews :

MR. SPEAKER,—The Senate do recede from their third, sixth, and seventh amendments to the bill, entitled "an act for forming several new counties, and re-forming the boundaries of two others;" and do agree to the amendment made by this House to their fifth amendment to the said bill. And then he withdrew.

The other orders of the day being read,

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill, "for giving proper salaries to certain officers of government."

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider of the bill, "for establishing a land office, and for ascertaining the terms and manner of granting waste and unappropriated lands."

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Ordered*, That the order that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### TUESDAY, January 13, 1778.

Mr. Fleming, presented to the House according to order, a bill, "for giving certain powers to the Governor and Council;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

*Ordered*, That leave be given to bring in a bill, "for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties;" and that Messrs. Jefferson, Pendleton, Nicholas, Jones, Bullitt, Prentiss and Fleming, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled 'an act to oblige the free male inhabitants of this State, above a certain age, to give assurance of allegiance to the same, and for other purposes;'" and that Messrs. Todd of King and Queen, McDowell, Starke, Pendleton, Lee and Adams, do prepare and bring in the same.

The House being informed that Capt. John Harris, and Capt. Alexander Dick, officers made prisoners in the service of this Commonwealth, are now under close confinement in Gosport or some other jail in England, where they are not only refused the common comforts and necessities of life, and treated with the utmost rigor and cruelty, in violation of the laws of humanity and the principles and practice of civilized nations, but threatened with being brought to trial for their lives, under a despotic act of the British Parliament respecting the people of America, by which not being parties, they cannot justly be bound; and many other officers, soldiers and sailors of this Common-

wealth, as well as of the other American States, who have the misfortune of being prisoners, are subjected to the like tyrannical treatment; from whence it is evident, that nothing can restrain our implacable and bloody enemies from committing such horrid barbarities in future, but a full and firm execution of the laws of retaliation, which both justice and policy loudly call for:

*Resolved, therefore, nemine contra dicente,* That the Speaker of both Houses of Assembly, be empowered and desired to recommend this subject to the immediate attention of the honorable the American Congress, and submit it to their wisdom, whether it is not now become necessary to set apart and reserve a proper number of British prisoners, and to give the enemy due notice that they shall share the same treatment, and suffer whatever punishment shall be inflicted upon the American prisoners in Great Britain; and that in the mean time they will be pleased to direct their agents in Europe to make proper provision for the support of the said Capt. Harris and Capt. Dick, or any other officers, soldiers or sailors, citizens of this Commonwealth, who now are, or hereafter may be, prisoners in Great Britain or Ireland, the charge of which this Commonwealth will make good.

*Ordered,* That Mr. Mason do carry the resolution to the Senate, and desire their concurrence.

A remonstrance of the officers of infantry and artillery of this State, was presented to the House, and read; setting forth, that notwithstanding the act of Assembly, which allows the soldiers in the service of the Commonwealth clothing out of the public store, at the prime cost thereof, they have in no instance, reaped the benefit thereby intended them, having been charged four hundred and fifty per cent. on the prime cost of some goods, and a considerable advance on others; and praying that an inquiry may be made, and such directions given as may redress this grievance.

*Ordered,* That the said remonstrance do lie upon the table.

A memorial of William Aylett, late agent and commissary of stores for this State, was presented to the House, and read; setting forth, that he hath been informed that several officers of this State propose to petition the Assembly, complaining of the conduct of the memorialist as to the disposition of the goods in the public store; that he hath been at some loss as to the price at which soldiers were to be furnished therewith, and upon every occasion took the advice of the Governor and Council as to his conduct, meaning to consult the good of the Commonwealth, and having no views of interest to himself therein; and that he has observed their directions in every instance; that he is willing and desirous his proceedings should be inquired into in this, and every other instance of his public conduct, not doubting but he shall be able to acquit himself of any charge that can be laid against him, and that he shall be found entitled to the approbation of his country, a reward which he has ever held in the highest estimation.

*Ordered,* That the said memorial do lie upon the table.

The House nominated several persons to be ballotted for as Judges of the High Court of Chancery.

*Ordered,* That Mr. Jefferson do carry a list of the persons so nominated to the Senate.

Several members, returned upon new writs, having taken the oath appointed by law to be taken, took their seats in the House.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the bill, "for raising a supply of money for public exigencies,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming, reported from the committee, that they had made a further progress in the bill; and that he was directed by the committee, to move that they may have leave to sit again.

*Resolved,* That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the said bill.

A message from the Senate by Mr. Taylor:

MR. SPEAKER,—The Senate are satisfied with the persons nominated by this House to be ballotted for as Judges of the High Court of Chancery, and have not added any person to the list. And then he withdrew.

*Ordered,* That the order that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY, January 14, 1778.

*Ordered,* That leave be given to bring in a bill, "to revive and amend an act, entitled, "an act, for the better regulating and collecting certain officers fees," and other purposes therein mentioned;" and that the committee for Courts of Justice do prepare and bring in the same.

A bill, "for giving certain powers to the Governor and Council," was read a second time.

*Resolved,* That the bill be committed.

*Resolved,* That the bill be committed to a committee of the whole House.

*Resolved,* That this House will, on Friday next, resolve itself into a committee of the whole House, to consider of the said bill.

A bill, "for adding part of the county of Westmoreland to King George, and part of the county of King George to Westmoreland," was read a second time.

*Ordered*, That the bill be engrossed.

A bill "to amend an act, entitled 'an act to regulate the inoculation of the smallpox within this colony,'" was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the said bill.

Mr. Mason, presented to the House according to order, a bill, "for adjusting and settling the titles of claimers to unpatented lands under the former government;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

*Ordered*, That leave be given to bring in a bill, "for authorising the seizure of salt, in the same manner as provisions, for the use of the army;" and that Messrs. Mason, Adams, and Harrison, do prepare and bring in the same.

Mr. Fleming, presented to the House, a bill, "to revive and amend an act, entitled 'an act, for the better regulating and collecting certain officers fees,' and other purposes therein mentioned;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

Mr. Mason, presented to the House according to order, a bill, "for authorising the seizure of salt, in the same manner as provisions, for the use of the army;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time:

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate do agree that Edmund Pendleton, George Wythe, and Robert Carter Nicholas, Esquires, should be appointed Judges of the High Court of Chancery, without balloting; they being the only persons in nomination for the said office. And then he withdrew.

The House taking the said message into consideration;

*Resolved*, *nemine contra dicente*, That Edmund Pendleton, George Wythe, and Robert Carter Nicholas, Esquires, be appointed Judges of the High Court of Chancery.

*Ordered*, That Mr. Jefferson do carry the resolution to the Senate, and desire their concurrence.

A bill, "for authorising the seizure of salt, in the same manner as provisions, for the use of the army," was read a second time.

*Ordered*, That the bill be engrossed.

*Resolved*, That the Speakers of the two Houses of Assembly, be desired to write to the Governor of North Carolina, informing him of the intelligence received from Congress, respecting the pressing wants of provisions in the continental army, since the passing of the former act transmitted by our Governor, for enabling the public contractors to procure stores of provisions necessary for the ensuing campaign, and to prohibit the exportation of beef, pork and bacon, for a limited time; which have induced the Assembly to pass another act, to include salt in the regulations of the former, so far as to allow the seizure thereof, for the use of the army for a short time, at a limited price; and to submit to his consideration, whether the urgency of the case, and the benefit of a co-operation of the two States in this measure, may not make it proper to call his Assembly to consider thereof.

An engrossed bill, "for authorising the seizure of salt, in the same manner as provisions, for the use of the army," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for authorising the seizure of salt, in the same manner as provisions, for the use of the army."

*Ordered*, That Mr. Mason do carry the bill to the Senate; and desire their concurrence.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill, "for providing a supply of money for public exigencies,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming, reported from the committee, that they had made a further progress in the bill; and that he was directed by the committee, to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the said bill.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for authorising the seizure of salt, in the same manner as provisions, for the use of the army;" And also,

The Senate have agreed, *nemine contra dicente*, to the resolution of this House, appointing Edmund Pendleton, George Wythe and Robert Carter Nicholas, Esquires, Judges of the High Court of Chancery. And then he withdrew.

The other orders of the day being read,



*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill, "for giving proper salaries to certain officers of government."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill, "for establishing a land office, and ascertaining the terms and manner of granting waste and unappropriated lands."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Ordered*, That the order that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, January 15, 1778.

A message from the Senate by Mr. Lewis :

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for preventing excessive and deceitful gaming," with several amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

*Ordered*, That leave be given to bring in a bill, "to establish a naval office at South Quay;" and that Messrs. Lee, and Fulgham, do prepare and bring in the same.

*Ordered*, That Mr. Godfrey have leave to be absent from the service of this House, for the remainder of the session.

*Resolved*, That Robert Prentis and Leighton Wood, gentlemen, be appointed to examine, state, and settle the account of the public trade, under management of William Aylett, gentleman; and that they make report thereof to the next session of Assembly.

*Ordered*, That the remonstrance of the officers of infantry and artillery, and also the memorial of William Aylett, which were presented to the House on Tuesday last, and ordered to lie upon the table, be referred to Robert Prentis and Leighton Wood, gentlemen; and they are to examine the matter thereof, and report the same, as it shall appear to them, to the next session of Assembly.

Mr. Lee, presented to the House according to order, a bill, "to establish a naval office at South Quay," and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill, "for raising a supply of money for public exigencies,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming, reported from the committee, that they had made a further progress in the bill; and that he was directed by the committee, to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the said bill.

The other orders of the day being read,

*Resolved*, That this House will, on Saturday next, resolve itself into a committee of the whole House, to consider of the bill, "for giving proper salaries to certain officers of government."

*Resolved*, That this House will, on Saturday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Ordered*, That the order that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### FRIDAY, January 16, 1778.

A message from the Senate by Mr. Lewis :

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for establishing a General Court and Courts of Assize," with several amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

The Speaker laid before the House a letter from the delegates appointed to represent this State in General Congress, enclosing several resolutions of the General Assembly of the Commonwealth of Pennsylvania, on the subject of the disputed boundary between that State and this Commonwealth.

And the said resolutions were read.

*Ordered*, That the said resolutions do lie upon the table.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the bill, "for raising a supply of money for public exigencies,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had gone through the bill, and made several amendments thereunto; which they had directed him to report when the House will please to receive the same.

*Ordered*, That the report be received to-morrow.

A bill, "for establishing a naval office at South Quay," was read a second time.

*Ordered*, That the bill be engrossed,

The other orders of the day being read,

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill, "for giving certain powers to the Governor and Council."

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to consider of the bill, "to amend an act, entitled 'an act to regulate the inoculation of the smallpox within this colony.'"

*Ordered*, That the order that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, January 17, 1778.

Mr. Richard Lee reported, from the committee appointed to proportion the public levy, that the committee had proportioned the public levy accordingly, and stated the same in a book, which they had directed him to report to the House; and he delivered the book in at the clerk's table.

*Ordered*, That the said book do lie upon the table, to be perused by the members of the House.

Mr. Richard Lee reported, from the committee of Public Claims, that the committee had had under their consideration several claims for executed slaves, and other matters to them referred, and had stated an account thereof, which they had directed him to report, together with the resolution of the committee thereupon, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table.

*Ordered*, That the said report do lie upon the table, to be perused by the members of the House.

The House proceeded to take into consideration, the amendments made by the Senate, to the bill, "for establishing a General Court and Courts of Assize;"

And the said amendments were read, and are as followeth, viz :

Page 1, line 38; After the word "costs," insert "the said court shall take cognizance of, and hear and determine all actions and suits at common law, whether real, personal, or mixed, and all appeals at common law, which were depending in the General Court at its last adjournment, or which have been since commenced therein, in the same manner as if the said suits had been originally instituted, or appeals entered, in the said Court."

Page 1, line 40; leave out the word "first," and insert "tenth."

Page 1, line 40; leave out the word "August," and insert "October."

Page 5, line 44; leave out from the word "jointly," to the word "before," in the 21st line, page 8.

Page 8, line 26; leave out from the word "day," to the word "when," in the 28th line.

Page 9, line 3; leave out from the word "void," to the word "if," in the 5th line.

Page 9, line 8; leave out the words "or Judges as aforesaid."

Page 9, line 10; leave out the words "ten days," and insert "reasonable."

Page 9, line 12; leave out the words "Judges of Assize."

Page 9, line 21; leave out the words "or any Court of Assize."

Page 9, line 21; leave out the words "or Judges of Assize."

Page 9, lines 26 and 27; leave out the words "or Judges of Assize, as the case may be."

Page 9, line 28; leave out the words "or Assize."

Page 9, line 30; leave out the words "or Courts of Assize."

Page 9, line 33; leave out the words "or Courts of Assize."

Page 9, line 39; leave out from the word "Court" to the word "there" in the 42d line, and insert "and the said Court shall have power to try all issues and inquiry of damages by a jury, in all causes before them, and to determine all questions concerning the legality of evidence, and other matters of law which may arise; for which trials, the Court shall cause the sheriff attending them, to empanel and return jurors of the bystanders, qualified as the law directs, to be sworn well and truly to try the issue joined, or to inquire of damages, as the case may be, according to evidence."

Page 10, line 24; leave out the word "reserving," and insert "reversing."

Page 11, line 27; leave out from the word "bar," to the word "and," in the 28th line.

Page 11, line 36; leave out from the word "cause," to the word "to," in the 39th line, and insert "the General Court."

Page 11, lines 41 and 42; leave out the words "in their respective counties."

Page 12, line 11; leave out the words "or Courts of Assize."

Page 12, lines 17 and 18; leave out the words "or Courts of Assize."

Page 12, line 23; leave out from the word "the," in the 2d place, to the word "there," in the 25th line, and insert "public jail."

Page 12, line 28; leave out the word "Assize," and insert "public."

Page 13, lines 7 and 8; leave out the words "Courts of Assize where the prisoner is to be tried at," and insert "General Court, on the sixth day thereof."

Page 13, line 11; leave out the words "such Court of Assize," and insert "General Court."

Page 13, line 15; leave out the words "or Courts of Assize for that district, the Court of Assize," and insert "they."

Page 13, line 18; leave out the word "Assizes," and insert "General Court."

Page 13, line 18; leave out the word "Assize," and insert "said Court."

Page 13, line 22; leave out from the word "the," in the first place, to the word "may," in the 23d line, and insert "keeper of the public jail, by order of any two justices of his county."

Page 13, line 23; leave out the word "there," and insert "his."

Page 13, line 24; leave out the word "Assize," and insert "public."

Page 13, line 29; leave out from the word "sheriff," to the word "for," in the 1st line of page 14.

Page 14, line 1; after "the being," insert "of the county in which the General Court is held."

Page 14, lines 1 and 2; leave out the words "Court of Assize in their respective counties," and insert "General Court."

Page 14, line 2; leave out the words "the counties assigned to each Assize," and insert "this Commonwealth."

Page 14, line 3; leave out the words "Court of Assize, which," and insert "General Court on the sixth day thereof, which the said sheriff is hereby empowered to do, as well without his county as within the same, and the said."

Page 14, line 5; leave out from the word "done," to the word "and," in the sixth line, and insert "this Commonwealth."

Page 14, line 13; leave out from the word "execution," to the word "no," in the 4th line of page 15.

Page 15, line 6; after the word "body," insert "nor where the penalty inflicted by law is less than 20 shillings, or two hundred pounds of tobacco."

Page 15, line 8; leave out the word "Judge," and insert "Court."

Page 15, line 9; leave out the words "at any Court of Assize."

Page 15, line 10; leave out the word "Judge," and insert "Court."

Page 15, line 11; leave out the words "of Assize."

Page 15, line 12; leave out from the word "law," to the word "the," in the 16th line.

Page 15, line 16; leave out the words "Assize of each," and insert "the General."

Page 15, line 20; leave out from the word "occasion," to the word "and," in the 22d line.

Page 15, line 24; leave out the words "jailer in every county where any Assize is held," and insert "keeper of the public jail."

Page 15, lines 24 and 25; leave out the words "said Courts of Assize," and insert "General Court."

Page 15, line 25; leave out the word "Judges," and insert "Court."

Page 15, line 32; leave out the word "every," and insert "the said."

Page 15, line 34; leave out from the word "reasonable," to the word "all," in the 16th line of page 16.

Page 16, lines 19 and 20; leave out the words "Court of Assize," and insert "General Court."

Page 16, line 20; leave out from the word "the," to the word "shall," in the 22d line, and insert "clerk."

In the title of the bill, leave out the words "and Courts of Assize."

The first amendment being read a second time, the amendment following was proposed to be made thereunto: to insert after the word "mixed," in the said amendment, the words "petitions for lapsed lands."

And the said amendment was, upon the question put thereupon, agreed to by the House.

The 2d, 3d, 4th, 5th, and 6th amendments, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 7th amendment, being read a second time, the amendment following was proposed to be made thereunto: to insert in the bill, the words "or any judge thereof," instead of the words proposed to be left out by the said amendment.

And the said amendment was, upon the question put thereupon, agreed to by the House.

The 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, and 17th amendments, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 18th amendment being read a second time, the amendment following was proposed to be made thereunto: to leave out of the bill, besides the words proposed to be left out by the said amendment, the words "if the trial is to be at bar," next preceding.



And the said amendment was, upon the question put thereupon, agreed to by the House.

The 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32d, 33d, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42d, 43d, 44th, 45th, 46th, 47th, 48th, 49th, 50th and 51st amendments, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 52d amendment, being read a second time, the amendment following was proposed to be made thereunto: to leave out instead of the words proposed to be left out by the said amendment, from the word "of," in the 34th line of the 15th page, to the word "further," in the 6th line of the 16th page of the bill, and to insert "five hundred pounds, which shall be paid by the treasurer out of the public money in his hands, and it is."

And the said amendment was, upon the question put thereupon, agreed to by the House.

The subsequent amendments, being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and acquaint them that this House have agreed to the amendments made by them to the bill "for establishing a General Court and Courts of Assize," with amendments to their 1st, 7th, 18th and 52d amendments, to which amendments to the amendments, this House doth desire the concurrence of the Senate.

Mr. Jefferson, presented to the House according to order, a bill, "for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where British subjects are parties;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

The Speaker laid before the House, a letter from the Governor, enclosing several resolutions of Congress;

And the said letter and resolutions were read,

*Ordered*, That the said letter and resolutions, do lie upon the table.

*Ordered*, That leave be given to bring in a bill, "to prevent private persons from issuing bills of credit in the nature of paper money;" and that Messrs. Mason, Pendleton, and Zane, do prepare and bring in the same.

An engrossed bill, "for establishing a naval office at South Quay," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act for appointing a naval office on Nottoway and Blackwater rivers."

*Ordered*, That Mr. Richard Lee do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for adding part of the county of Westmoreland to King George, and part of the county of King George to Westmoreland," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act for adding part of the county of Westmoreland to King George, and part of the county of King George to Westmoreland."

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and desire their concurrence.

A claim of William Underhill, was presented to the House, and read;

*Ordered*, That the said claim be referred to the committee of Public Claims; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That Fielding Lewis, James Hunter, Charles Dick, and James Mercer, Esquires, be appointed commissioners on the part of this Commonwealth, (any three of whom may act,) to meet with commissioners from other States, and confer with them on the subject matters of the resolution of Congress of the 22d of November last; and that the said commissioners report their proceedings to this legislature, to the end that the propriety of carrying such regulations as they may recommend into execution, may be considered.

*Ordered*, That Mr. Richard Henry Lee, do carry the resolution to the Senate, and desire their concurrence.

The Book of Public Propositions, which was this day ordered to lie upon the table, was read; and upon the question put thereupon, agreed to by the House.

The orders of the day being read,

*Resolved*, That this House will, on the last day of March next, resolve itself into a committee of the whole House, to consider of the bill, "for establishing a land office, and ascertaining the terms and manner of granting waste and unappropriated lands."

*Ordered*, That the report from the committee of the whole House, on the bill, "for providing a supply of money for public exigencies," be received on Monday next.

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider of the bill, "for giving proper salaries to certain officers of government."

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Ordered*, That the order that the House be called over, be further adjourned till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, January 19, 1773.

A message from the Senate by Mr. Carrington :

MR. SPEAKER,—The Senate do agree to the free conference desired by this House, on the subject matter of the last conference ; and have appointed conferees to manage the conference on their part.

*Ordered*, That the persons who managed the last conference do manage this free conference ; and that they meet the conferees of the Senate, in the conference chamber, on Wednesday morning next.

*Ordered*, That Mr. Jefferson do go to the Senate, and acquaint them therewith.

Mr. Braxton reported, from the committee, to whom the bill, "to revive and amend an act, for appointing commissioners to ascertain the value of certain churches and chapels, in the parishes of Frederick, Norborne, and Beckford, and for other purposes therein mentioned," was recommitted, that the committee had made another amendment to the bill, which they had directed him to report to the House ; and he read the report in his place, and afterwards delivered the bill, with the amendment, in at the clerk's table, where the amendment was twice read, and upon the question put thereupon, agreed to by the House.

*Ordered*, That the bill with the amendments, be engrossed.

The agents of the public manufactory of sail duck, laid before the House a state of the progress, and expense of, the said manufactory.

*Ordered*, That the said state be referred to the committee of Propositions and Grievances ; and that they do examine the matter thereof, and report the same, as it shall appear to them, to the House.

*Ordered*, That the treasurer repay to Nathaniel Terry, Esq. the sum of fifteen dollars, for a counterfeit treasury note, by him received in collecting the money for salt distributed in Halifax county, which he did without reward, and received the bill by mistake.

*Ordered*, That Mr. Meriwith do carry the order to the Senate, and desire their concurrence.

A proposition of Monsieur Loycaute, for establishing a corps of artillery in this State, was presented to the House, and read.

*Ordered*, That the said proposition be referred to the consideration of a committee ; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And it is referred to Messrs. Richard Henry Lee, Pendleton, Harrison of Charles City, Jones, Nicholas, Jefferson, Mason, Zane, Adams and Braxton.

Mr. Todd presented to the House, according to order, a bill, "to amend an act, entitled 'an act to oblige the free male inhabitants of this State, above a certain age, to give assurance of allegiance to the same, and for other purposes ;' and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

*Ordered*, That Messrs. Richard Henry Lee, Thornton, and Jett, be added to the committee appointed to examine into and report the state of the navy.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled 'an act, to restrain the operations of the acts for limitation of actions, and recording deeds in certain cases ;' and that Messrs. Fleming and Pendleton, do prepare and bring in the same.

Mr. Fleming reported, according to order, the amendments made by the committee of the whole House, to the bill, "for raising a supply of money for public exigencies ;" and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one ; and, upon the question severally put thereupon, some of them were agreed to by the House.

*Ordered*, That the further consideration of the report, be adjourned till to-morrow.

A message from the Senate by Mr. Carrington :

MR. SPEAKER,—The Senate have agreed to the amendments made to their amendments to the bill, "for establishing a General Court and Courts of Assize." And then he withdrew.

A message from the Senate by Mr. Gray :

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for appointing a naval officer on Nottoway and Blackwater." And then he withdrew.

A message from the Senate by Mr. Henry Lee :

MR. SPEAKER,—The Senate have agreed to the order, for repaying to Nathaniel Terry, fifteen dollars, for a counterfeit treasury note, by him received in collecting the money for salt distributed in Halifax county ; also, to the resolutions for paying to Joseph Carrington 9*l.* 5*s.* 0*d.* ; and, for appointing commissioners to meet commissioners from other States, to confer with them on the subject matter of the resolution of Congress of the 22d of November last. And also,

The Senate have agreed to the resolutions of this House, for allowing Charles Fulgham 44*l.* 17*s.* 6*d.* out of the estate of John Goodrich the elder ; and to Isaac Zane 21*l.* 19*s.* 6*d.* out of the estate of Lord Dunmore. And then he withdrew.

The several other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House to consider of the bill, "for giving certain powers to the Governor and Council."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill, "to amend an act act, entitled 'an act to regulate the inoculation of the smallpox within this colony.'"

*Ordered*, That the order that the House be called over, be further adjourned till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, January 20, 1778.

The account of several claims, for executed slaves, and other matters stated by the committee of Public Claims, which was presented to the House on Saturday last, and ordered to lie upon the table, was read, and is as followeth, viz :

To Henry Lawson, guardian of Sally Simmons, for her negro man slave Daniel, who was condemned and executed for felony, and by the court of the county of Lancaster, valued at	-	-	-	£120	0	0
To James Garnett, for his negro man slave Toney, who was condemned and executed, and by the court of the county of Essex, valued at	-	-	-	150	0	0
To Thomas Beasley, for his negro Ned, who was condemned and executed for felony, and by the court of Chesterfield county, valued at	-	-	-	60	0	0
To Smith Blakey, for his negro man Lewey, who was condemned and executed, and by the court of Hanover county, valued at	-	-	-	130	0	0
To Joseph Martin, for a bay mare, appraised to 15 <i>l.</i> ; and a white horse to 12 <i>l.</i> , lost at Fort Lee, in the country's service,	-	-	-	27	0	0
To Benjamin Dancy, of Craven county, North Carolina, assignee of Robert Hicks, for his negro man slave Cæsar, who was condemned and executed for felony and burglary, and by the court of Isle of Wight county, valued at	-	-	-	55	0	0
To James Lyon, for a horse, lost on the Cherokee expedition, appraised to	-	-	-	15	0	0
To James Abell, for hire of his horse, to convey Richard Sampson, a criminal from Prince William county, to Williamsburg,	-	-	-	0	16	0
To William Martin, for do.	-	-	-	0	16	0
To John Ball, for do., a criminal from Pittsylvania, to Williamsburg,	-	-	-	2	10	0
To Thomas Black, for do.	-	-	-	2	10	0
To Jesse Chilton, for ferriages of sheriffs and guards with criminals,	-	-	-	1	10	0
To Robert Brown, for five days hire of his horse conveying a criminal to the public jail, at 2 <i>s.</i> per day,	-	-	-	0	10	0
To John Muldrough, for a bay horse, lost on the late Cherokee expedition,	-	-	-	8	10	0
To William Calvert, for a sorrel do.,	-	-	-	5	0	0
To William Ross, assignee of Adam M. Cormack, for one bay mare,	-	-	-	12	0	0
To Michael Franciscoc, for a bay do.,	-	-	-	9	0	0
To Michael Ohair, for one black horse, saddle and bridle,	-	-	-	9	0	0
To Philip Love, for one flea-bitten grey horse,	-	-	-	18	0	0
To James Mason, for a bay mare,	-	-	-	15	0	0
To Samuel Eason, for one dark bay horse,	-	-	-	14	10	0
To David English, for one sorrel mare,	-	-	-	14	0	0
To Solomon Hendrick, for one bay do.,	-	-	-	22	0	0
To John Walker, for one black do.,	-	-	-	12	0	0
To James Tuttle, for one dark gray mare, 6 <i>l.</i> ; one brown do. 5 <i>l.</i>	-	-	-	11	0	0
To William White, for one black horse,	-	-	-	11	0	0
To James M'Donald, for 428 lbs. flour at 12 <i>s.</i> 6 <i>d.</i> per cwt.,	-	-	-	2	13	6
To Meredy Reins, for one black mare,	-	-	-	10	10	0
To Charles Cocks, for one horse,	-	-	-	8	10	0
To Ebenezer Meads, for one sorrel do.,	-	-	-	20	0	0
To Michael Gleave, for one black mare, 10 <i>l.</i> 10 <i>s.</i> ; one do. 16 <i>l.</i> ,	-	-	-	26	10	0
To John Craig, for one white mare, 8 <i>l.</i> 10 <i>s.</i> ; one roan horse 7 <i>l.</i> 10 <i>s.</i> ,	-	-	-	16	0	0
To Samuel Montgomerie, for one bay horse,	-	-	-	£21	0	0
302 days horse hire, at 15 <i>d.</i> per day,	-	-	-	18	17	6
To Christian Shultz, for one grey mare,	-	-	-	39	17	6
To Robert M'Nutt, for one sorrel horse,	-	-	-	6	0	0
To Samuel Campbell, for one bay do.,	-	-	-	5	0	0
To Samuel Ingram, for one dunn do.,	-	-	-	10	10	0
To Jacob Sterns, for one black do.,	-	-	-	27	10	0
31 b	-	-	-	11	0	0



To William Carr, for one black mare,	-	-	-	£ 12 0 0
To James Newell, jun. for one black horse,	-	-	-	11 0 0
To John Simpson, for one white do.,	-	-	-	14 0 0
To Francis Hamilton, for one bay do.,	-	-	-	7 10 0
To William Bennitt, for one bay mare,	-	-	-	6 0 0
To Thomas Price, for one grey mare,	-	-	-	£ 14 0 0
1 bald eagle do.,	-	-	-	14 0 0
1 bay horse,	-	-	-	9 17 6
				<hr/>
To John Gibson, for one bay mare,	-	-	-	37 17 6
To Littleton Brooks, one do.,	-	-	-	10 10 0
	-	-	-	12 10 0
To Peter Haff, for one mare, pack saddle, and one kettle,	-	-	-	13 7 6.
To James Daugherty, for one sorrel horse and bit,	-	-	-	8 15 0
To James Walker, assignee of Absalom Stafford, for one grey horse,	-	-	-	16 10 0
To Frederick Fraily, for three horses,	-	-	-	16 10 0
To William Edmundson, for one white mare, and one roan do.,	-	-	-	19 0 0
To Andrew Cowan, for one grey horse,	-	-	-	12 0 0
To David Carson, for one bay do. 15 <i>l</i> ., and one bell 6 <i>s</i> .,	-	-	-	15 8 0
To John Adair, assignee of George Grey, for one grey horse	-	-	-	£ 16 10 0
pack saddle and rope 6 <i>s</i> ., bell, 4 <i>s</i> ., halter 1 <i>s</i> .,	-	-	-	0 11 0
				<hr/>
To James McKain, for one dark brown mare,	-	-	-	£ 10 10 0
pack saddle 10 <i>s</i> ., bell 5 <i>s</i> ., halter 1 <i>s</i> . 3 <i>d</i> .,	-	-	-	0 16 3
				<hr/>
To James Cameron, for a black horse,	-	-	-	£ 12 10 0
bell 1 <i>s</i> . 3 <i>d</i> ., pack saddle 4 <i>s</i> .,	-	-	-	0 5 3
				<hr/>
				12 15 3
To James Steel, for one bay horse, 18 <i>l</i> . 10 <i>s</i> .; one sorrel do. 8 <i>l</i> . 10 <i>s</i> .,	-	-	-	27 0 0
To George Scott, for one grey do.,	-	-	-	19 0 0
To Robert Gambell, for one sorrel do.,	-	-	-	8 0 0
To Joseph Perrin, for one do.,	-	-	-	10 0 0
To Daniel M. Cormack, for one roan do.,	-	-	-	5 10 0
To Nicholas Edwards, for one grey do.	-	-	-	12 0 0
To Jonathan Jennings, for one bay do.	-	-	-	17 0 0
To John Hounshel, for one brown do.	-	-	-	13 0 0
To George Parker, for one sorrel mare,	-	-	-	10 0 0
To Andrew Bransteter, for one dark brown do.	-	-	-	10 10 0
To William Peoples, for one grey horse,	-	-	-	15 0 0
To James Doran, for one black do.	-	-	-	10 0 0
To Valentine Little, for one white do.	-	-	-	12 0 0
To George Caldwell, for one bay do.	-	-	-	15 0 0
To Samuel Fair, for one bay do. 9 <i>l</i> .; and one dark bay 20 <i>l</i> .	-	-	-	29 0 0
To Jeremiah Rust, for one gun, powder horn, and shot bag,	-	-	-	6 10 0
To Alexander Butler, for damage done his gun,	-	-	-	0 6 0
To Robert Hardwick, for one blanket,	-	-	-	1 7 6
To William Brown, for damage done his gun,	-	-	-	0 5 0
To Joseph M <sup>r</sup> Reynolds, for do.	-	-	-	0 2 6
To Leonard Helm, for sixty-four rations, at 8 <i>d</i> .	-	-	-	2 2 8
To Benjamin Logan, for two hundrd and eighty-eight do. for Captain Todd's company,	-	-	-	9 12 0
To James Greer, for work done on a granary, &c. at Harrodsburg and finding nails,	-	-	-	2 6 6
To Robert Cowden, for one black horse,	-	-	-	11 0 0
To Samuel Ewin, for one white do. 28 <i>l</i> . 4 <i>s</i> . 0 <i>d</i> .; one grey do. 21 <i>l</i> .; one brown do.	-	-	-	
17 <i>l</i> .; one bay mare, 12 <i>l</i> .; three bells, 13 <i>s</i> .; three bridles, 5 <i>s</i> . 3 <i>d</i> .; one bag 7 <i>s</i> . 6 <i>d</i> .	-	-	-	79 9 9
To Andrew Irwin, for two grubbing hoes, and one axe,	-	-	-	1 10 0
To Richard Thomas, for one black horse,	-	-	-	10 0 0
To John Gordon, for one bay mare,	-	-	-	19 0 0
To Robert Stephenson, for an express,	-	-	-	1 10 0
To Thomas Goldsby, for one rifle gun, 6 <i>l</i> .; and tomahawk, 3 <i>s</i> .	-	-	-	6 3 0
To Robert M <sup>r</sup> Ellhenev, additional allowance for horse hire,	-	-	-	2 18 9
To Peter Turney, assignee of Joseph Cole, for one bay horse,	-	-	-	9 0 0
To Anthony Bledsoe, for one bay horse, and bit,	-	-	-	17 0 0

To John Swearerger, sen. for the use of his pasture, and the damage he sustained whilst the tories were confined and tried at his house, - - - £ 10 0 0  
 To Joel Hatcher, for his negro man slave, named Simon, who was tried for felony, and sentenced to be hanged, and by the court of the county of Chesterfield, valued at 80*l*. (but previous to the day appointed for his execution, he set fire to the jail wherein he was confined, and suffered so much in the flames, that he died a few days after,) - - - 80 0 0  
*Resolved*, that it is the opinion of this committee, That the said claims are reasonable; and that the respective claimants ought to be allowed for the same by the public.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

The House resumed the adjourned consideration of the report of the committee of the whole House, to whom the bill "for raising a supply of money for public exigencies," was committed; and the several other amendments, made by the committee to the bill, were read a second time, one by one; and upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

*Ordered*, That Mr. Daniel have leave to be absent from the service of this House, for the remainder of the session.

Mr. Fleming, presented to the House according to order, a bill, "to amend an act, entitled 'an act, to restrain the operation of the acts for limitation of actions,' and recording deeds, in certain cases;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

*Resolved*, That each regular soldier, belonging either to the continent, or this Commonwealth, who shall be ordered to join the grand army the next campaign, shall be furnished with a suit of clothes ready made, from the public store; and that the same be charged to the continent.

*Resolved*, That each soldier in the regiment of artillery raised for the defence of this Commonwealth, shall be furnished with a suit of clothes ready made, out of the public store; at the expense of the Commonwealth.

*Ordered*, That Gen. Nelson do carry the resolutions to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms;" and that Messrs. Jefferson and Pendleton, do prepare and bring in the same.

The order of the day being being read, for the House to resolve itself into a committee of the whole House, to consider of the bill, "to amend an act, entitled 'an act to regulate the inoculation of the smallpox within this colony;"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Richard Henry Lee took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Richard Henry Lee reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

Mr. Jefferson, presented to the House according to order, a bill, "appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

The Speaker laid before the House, a letter from Bartholomew Dandridge, Esq. resigning the office of a member of the Privy Council, or Council of State.

And the said letter was read:

*Resolved*, That this House will, on Thursday next, proceed by joint ballot with the Senate, to the appointment of the Judges of the General Court; a member of the Privy Council, in the room of Bartholomew Dandridge, Esq. who hath resigned; a delegate, to represent this Commonwealth in General Congress, from the 10th day of May to the 11th day of August next; a public treasurer; and, of a naval officer, for the district of Nottoway and Blackwater.

*Ordered*, That Mr. Richard Lee, do acquaint the Senate therewith.

*Ordered*, That leave be given to bring in a bill, "for laying a public levy;" and that Messrs. Richard Lee and Pendleton, do prepare and bring in the same.

Mr. Richard Lee, presented to the House, according to order, a bill, "for laying a public levy;" and the same was received, and read the first time,

*Resolved*, That the bill be read a second time.

The other orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill, "for giving proper salaries to certain officers of government."

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill, "for giving certain powers to the Governor and Council."

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, January 21, 1778.

Mr. Richard Lee reported, from the committee of Public Claims, to whom several petitions were referred, that the committee had examined the matters of the said petitions, and come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, that it is the opinion of this committee, That John Stewart, a soldier who was wounded in the left arm by the Shawanese, in the battle at Point Pleasant, and thereby rendered incapable of getting a livelihood by labor, ought to be allowed the sum of 20*l.* for his present relief.

*Resolved*, that it is the opinion of this committee, That John Quarles, ought to be allowed as a messenger with letters from the Senate to the absent members, at the rate of 9*d.* per mile, for travelling 140 miles, amounting to the sum of 5*l.* 5*s.* 0*d.*

*Resolved*, that it is the opinion of this committee, That Terry Connelly, ought to be allowed as a messenger with letters from the Senate to the absent members, at the rate of 9*d.* per mile, for travelling 282 miles, amounting to the sum of 10*l.* 11*s.* 6*d.*

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Lee do carry the resolutions to the Senate, and desire their concurrence.

A bill, "to revive and amend an act, entitled 'an act for the better regulating and collecting certain officers fees, and other purposes therein mentioned,'" was read a second time;

*Ordered*, That the bill be engrossed.

General Nelson, reported from the committee, to whom the petition of Nathaniel Gist was referred, that the committee had examined the matter of the said petition, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolution of the committee was read, and is as followeth, viz:

*Resolved*, that it is the opinion of this committee, That the said Col. Nathaniel Gist, did render to this State an essential service, by bringing the chiefs of the Cherokee nation, to meet the commissioners, Col. Christian and Col. Preston, at the Big Island; and that he ought to be paid 50*l.* for his trouble therein.

The said resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Gen. Nelson do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed, *nemine contra dicente*, to the resolution of this House, recommending it to the General Congress, to make provision for the support of Captains Harris and Dick, and other officers, soldiers and sailors, who may hereafter become prisoners in Great Britain or Ireland; and submitting it to Congress, whether the British prisoners should not receive the same treatment and punishment, as the American prisoners in Great Britain. And then he withdrew.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill, "for giving certain powers to the Governor and Council,"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had gone through the bill, and made an amendment thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the amendment was twice read; and upon the question put thereupon, agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for adding part of the county of Westmoreland to King George, and part of the county of King George to Westmoreland," with several amendments, to which amendments the Senate desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying to John Stewart 20*l.*, John Quarles 5*l.* 5*s.* 0*d.*, Terry Connelly 10*l.* 11*s.* 6*d.*



Also, to the resolution for paying 24*l.* 11*s.* 3 1-2*d.*, for sending for the absent members. And also,

The Senate have agreed to the resolutions of this House, for furnishing the regular soldiers from this State who may join the continental army, and the soldiers in the regiment of artillery, with a suit of clothes each. And also,

The Senate will, to-morrow, proceed by joint ballot with this House, to the choice of the Judges of the General Court; a member of the Privy Council; a delegate to Congress; a public Treasurer; and, a Naval Officer for the district of Blackwater and Nottoway. And then he withdrew.

It appearing to the House that George Webb, Esq. treasurer of this Commonwealth, hath been very careful and diligent in the execution of his office;

*Resolved*, That the loss of twelve pounds counterfeit paper bills of credit, mentioned in the report of the committee appointed to examine the treasurer's accounts, received by the said treasurer on public account, be sustained by the public; and that he be allowed the same in his account.

*Ordered*, That Mr. Fleming do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That the bill, "for adjusting and settling the titles of claimants to unpatented lands under the former government," be read the second time on the 19th day of March next.

A message from the Senate by Mr. Carrington:

MR. SPEAKER.—The Senate have agreed to the resolution of this House, for paying 50*l.* to Col. Nathaniel Gist. And then he withdrew.

*Resolved*, That the treasurer's accounts do pass.

*Ordered*, That Mr. Fleming do carry the treasurer's accounts to the Senate, and desire their concurrence.

The House nominated persons to be ballotted for as Judges of the General Court, a Privy Counsellor, a Delegate to Congress, a Public Treasurer, and a Naval Officer.

*Ordered*, That Mr. Richard Lee do carry a list of the persons so nominated to the Senate.

A bill, "for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties;" was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House,

*Resolved*, That this House will now resolve itself into the said committee.

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming, reported from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill, "for giving proper salaries to certain officers of government;"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had made a progress in the bill; and that he was directed by the committee, to move that they may have leave to sit again.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the said bill.

The other order of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, January 22, 1778.

Mr. Mason presented to the House, according to order, a bill, "to prevent private persons from issuing bills of credit in the nature of paper currency;" and the same was received, and read the first time.

*Resolved*, That the bill be read a second time.

An engrossed bill, "for giving certain powers to the Governor and Council;" was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act, for giving certain powers to the Governor and Council."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to amend an act, entitled 'an act, for the better regulating and collecting certain officers fees, and other purposes therein mentioned ;' " was read the third time.

*Resolved*, That the bill do pass ; and that the title be, "an act to open the Courts of Justice, and to revive and amend 'an act, entitled 'an act for the better regulating and collecting certain officers fees, and other purposes therein mentioned.'"

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to amend an act, entitled 'an act to regulate the inoculation of the smallpox within this colony ;' " was read the third time.

*Resolved*, That the bill do pass ; and that the title be, "an act to amend an act, entitled 'an act, to regulate the inoculation of the smallpox within this colony.'"

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties;" was read the third time.

*Resolved*, That the bill do pass ; and that the title be, "an act for sequestering British property, enabling those indebted to British subjects, to pay off such debts, and directing the proceedings in suits where such subjects are parties."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to amend an act, entitled 'an act, for appointing commissioners to ascertain the value of certain churches and chapels, in the parishes of Frederick, Norborne, and Beckford,' and for other purposes therein mentioned ;" was read the third time.

*Resolved*, That the bill do pass ; and that the title be, "an act to revive and amend an act, entitled 'an act, for appointing commissioners to ascertain the value of certain churches and chapels, in the parishes of Frederick, Norborne, and Beckford,' and for other purposes therein mentioned.'"

*Ordered*, That Mr. Braxton do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for raising a supply of money for public exigencies;" was read the third time ;

*Resolved*, That the bill do pass ; and that the title be, "an act, for raising a supply of money for public exigencies."

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

A bill, "for appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms;" was read a second time ;

*Ordered*, That the bill be engrossed.

A bill, "to prevent private persons from issuing bills of credit in the nature of paper currency;" was read a second time.

*Ordered*, That the bill be engrossed.

A bill, "for laying a public levy;" was read a second time.

*Ordered*, That the bill be engrossed.

A bill, "to amend an act, entitled 'an act, to restrain the operations of the acts for limitation of actions and recording deeds in certain cases ;' " was read a second time.

*Ordered*, That the bill be engrossed.

A message from the Senate by Mr. Holt :

MR. SPEAKER,—The Senate have agreed to the resolution of this House, on the report of the committee appointed to examine the treasurer's accounts. And also,

The Senate have agreed to the resolution of this House, that the loss of 12*l.*, counterfeit paper bills of credit, mentioned in the said report, be sustained by the public. And also,

The Senate have passed the treasurer's accounts. And also,

The Senate have agreed to the bill, entitled "an act, for giving certain powers to the Governor and Council." And also,

The Senate have agreed to the bill, entitled "an act, for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties." And also,

The Senate have agreed to the bill, entitled "an act, to revive and amend 'an act, for appointing commissioners to ascertain the value of certain churches and chapels, in the parishes of Frederick, Norborne, and Beckford,' and for other purposes therein mentioned.' " And also,

The Senate have agreed to the bill, entitled "an act, to amend an act, entitled 'an act, to regulate the inoculation of the smallpox within this colony.' " And also,

The Senate have agreed to the bill, entitled "an act, to open the Courts of Justice, and to revive and amend 'an act, for the better regulating and collecting certain officers fees,' and for other purposes therein mentioned.' " And also,

The Senate have directed me to lay before this House a list of the persons nominated by them for Judges of the General Court, and for a Naval Officer on Nottoway and Blackwater. They have no person to add to the list of those nominated by this House for a delegate to Congress, and Public Treasurer. And then he withdrew.

Mr. Richard Henry Lee, reported from the committee, appointed to examine into and report the state of the navy, that the committee had accordingly examined the same, and come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz :

*Resolved*, That the armed vessels Dragon, Tartar, and Gloucester, should be fitted for service with all possible expedition, and stationed between Cherry stone harbor and Cape Charles, in order to keep open, and free from interruption by the enemy's cruisers, the channel between that cape and the middle ground; and the officer commanding these vessels, be directed to keep two swift sailing boats, or tenders, one of which to be continually at sea off the mouth of said channel, to inform inward bound vessels of the station of the enemy's cruisers, and to bring them under the protection of said armed vessels; that the other tender cruise in the Bay, and give notice where the enemy's ships are placed.

*Resolved*, That the harbor of Cherrystone, should be well fortified as soon as possible, and a small magazine of stores kept there, for the use and refitting of the vessels placed on that station, without loss of time; which harbor, so fortified, will afford great security to the trade of Chesapeake Bay.

*Resolved*, That as the protection and security of vessels bound into this Bay, is of great importance to our sister State of Maryland, as well as to this Commonwealth, that the commissioners appointed to meet commissioners on the part of Maryland, concerning the navigation of the Bay, &c., be instructed to press upon the commissioners from Maryland, the propriety of that State joining with this, in defending and securing the navigation of Chesapeake.

*Resolved*, That the two galleys now building on the Eastern Shore, should be fitted as soon as possible, and stationed, one of them in Matomkin harbor, and the other in Chingoteague, for protection of trade on the seaboard.

*Resolved*, That it will be expedient and proper, to propose to the State of North Carolina, that one of the two large galleys, built for the defence of the seacoast harbors of that State by this Commonwealth, should be received by that State at the expense she cost this; and be employed, together with the galley of this State now at Edenton, for the protection of a navigation equally important to both States.

*Resolved*, That the original design of building galleys in each river, was, for the defence of such rivers, against the attempts of the enemy; that they should be stationed in the respective rivers; should be fixed constantly near the mouths, or entrance, into such rivers, respectively, (unless, upon very urgent occasions, the Governor and Council should direct them to some other use,) with orders, to be perpetually cruising there when the weather will permit; as well to prevent the enemy's tenders from entering to disturb and pillage the shores, as to protect the trade of the same; and, that when large vessels of war shall enter and pass up said rivers, that the galleys be ordered to attend them, and watch their motions, keeping constantly between the enemy's ships and the shores, so as to prevent the pernicious practice now too much in use, of suffering the enemy to draw provisions from the country, for the better enabling them to prolong the war, and injure the commerce of the State.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Henry Lee do carry the resolutions to the Senate, and desire their concurrence.

The orders of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill, "for giving proper salaries to certain officers of government."

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of the Judges of the General Court; a member of the Privy Council, in the room of Bartholomew Dandridge, Esq.; a delegate, to represent this Commonwealth in General Congress, from the tenth day of May to the eleventh day of August next; a public Treasurer; and of a Naval Officer, for the district of Nottoway and Blackwater.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

And then the House adjourned till to-morrow morning, 9 o'clock.

FRIDAY, January 23, 1778.

The order of the day being read, for the House to proceed, by joint ballot with the Senate, to the choice of the Judges of the General Court;

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed one of the Judges of the General Court.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee, be appointed to meet a committee of the Senate in the conference room, and jointly



with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Harrison of Charles City, George Mason, Starke, Nicholas, Jefferson, Gee, General Nelson, Richard Henry Lee, and Fitzhugh; and they are to withdraw immediately.

*Ordered*, That Mr. Harrison do acquaint the Senate therewith.

Mr. Harrison, reported from the committee, that they had met a committee of the Senate in the conference room, and jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth, viz:

For Joseph Jones, Esq.	47	For Gabriel Jones, Esq.	3
John Blair, Esq.	28	Daniel Fisher, Esq.	2
Thomas Ludwell Lee, Esq.	4	Thompson Mason, Esq.	1

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed another of the Judges of the General Court.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee, be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Harrison of Charles City, George Mason, Starke, Nicholas, Jefferson, Gee, General Nelson, Richard Henry Lee, and Fitzhugh; and they are to withdraw immediately.

*Ordered*, That Mr. Harrison do acquaint the Senate therewith.

Mr. Harrison, reported from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For John Blair, Esq.	60	For Gabriel Jones, Esq.	2
Thompson Mason, Esq.	13	Paul Carrington, Esq.	1
Tho. L. Lee, Esq.	6	Daniel Fisher, Esq.	1

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed another of the Judges of the General Court.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee, be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Harrison of Charles City, George Mason, Starke, Nicholas, Jefferson, Gee, Gen. Nelson, Richard Henry Lee, and Fitzhugh.

*Ordered*, That Mr. Harrison do acquaint the Senate therewith.

Mr. Harrison reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Thompson Mason, Esq.	30	For Paul Carrington, Esq.	11
Thomas Lud. Lee, Esq.	16	William Bernard, Esq.	7
Gabriel Jones, Esq.	15	Daniel Fisher, Esq.	7

And, it appearing from the report of the committee, that neither of the persons mentioned hath a majority of both Houses, the House proceeded to ballot between the said Thompson Mason and Thomas Ludwell Lee, Esquires; they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee, be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the said Thompson Mason and Thomas Ludwell Lee, Esquires, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Harrison of Charles City, George Mason, Starke, Nicholas, Jefferson, Gee, Gen. Nelson, Richard Henry Lee, and Fitzhugh; and they are to withdraw immediately.

*Ordered*, That Mr. Harrison do acquaint the Senate therewith.

Mr. Harrison reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Thomas Ludwell Lee, Esq. 44

Thompson Mason, Esq. 41

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed another of the Judges of the General Court.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the said tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Harrison, George Mason, Starke, Nicholas, Jefferson, Gee, General Nelson, Richard Henry Lee, and Fitzhugh; and they are to withdraw immediately.

*Ordered*, That Mr. Harrison do acquaint the Senate therewith.

Mr. Harrison reported, from the committee, that they had met a committee of the Senate in the conference room, and jointly with them examined the tickets accordingly, and directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Thompson Mason, Esq.	39	For William Bernard, Esq.	9
Gabriel Jones, Esq.	19	Daniel Fisher, Esq.	4
Paul Carrington, Esq.	15		

And it appearing from the report of the committee, that neither of the persons therein mentioned hath a majority of both Houses, the House proceeded to ballot between the said Thompson Mason and Gabriel Jones, Esquires; they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the said Thompson Mason and Gabriel Jones, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Harrison of Charles City, George Mason, Starke, Nicholas, Jefferson, Gee, General Nelson, Richard Henry Lee, and Fitzhugh; and they are to withdraw immediately.

*Ordered*, That Mr. Harrison do acquaint the Senate therewith.

Mr. Harrison reported, from the committee, that they had met a committee of the Senate in the conference room, and jointly with them examined the tickets accordingly, and directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Thompson Mason, Esq.	49	For Gabriel Jones, Esq.	38
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*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed another of the Judges of the General Court.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Harrison, George Mason, Starke, Nicholas, Jefferson, Gee, General Nelson, Richard Henry Lee, and Fitzhugh; and they are to withdraw immediately.

*Ordered*, That Mr. Harrison do acquaint the Senate therewith.

Mr. Harrison reported, from the committee, that they had met a committee of the Senate in the conference room, and jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several

persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Paul Carrington, Esq.	36	For Daniel Fisher, Esq.	8
Gabriel Jones, Esq.	22	John Banister, Esq.	2
Wm. Bernard, Esq.	18	John Harvie, Esq.	1

And it appearing from the report of the committee, that neither of the persons therein mentioned hath a majority of both Houses, the House proceeded to ballot between the said Paul Carrington and Gabriel Jones, Esquires; they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the said Paul Carrington and Gabriel Jones, Esquires, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Harrison, George Mason, Starke, Nicholas, Jefferson, Gee, General Nelson, Richard Henry Lee, and Fitzhugh; and they are to withdraw immediately.

*Ordered*, That Mr. Harrison do acquaint the Senate therewith.

Mr. Harrison, reported from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Paul Carrington, Esq.	50	For Gabriel Jones, Esq.	34
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*Resolved*, That Joseph Jones, John Blair, Thomas Ludwell Lee, Thompson Mason, and Paul Carrington, Esquires, be appointed Judges of the General Court, they having been severally elected to that office by joint ballot of both Houses of General Assembly. *22 Feb. 1772.*

*Ordered*, That Mr. Harrison of Charles City, do carry the resolution to the Senate, and desire their concurrence.

The order of the day being read, for the House to proceed by joint ballot with the Senate, to the choice of a member of the Privy Council, or Council of State, in the room of Bartholomew Dandridge, Esq.;

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed a member of the Privy Council, or Council of State.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee, be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Richard Lee, Nicholas, Webb, and Tazewell; and they are to withdraw immediately.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith.

Mr. Richard Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Bolling Starke, Esq.	33	For Lewis Burwell, Esq.	12
Meriwether Smith, Esq.	31	Corbin Griffin, Esq.	7

And it appearing from the report of the committee, that neither of the persons therein mentioned hath a majority of both Houses, the House proceeded to ballot between the said Bolling Starke and Meriwether Smith, Esquires; they standing foremost on the list.

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed, to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the said Bolling Starke, and Meriwether Smith, Esquires, as it shall appear to them, to the House.



And a committee was appointed, of Messrs. Richard Lee, Nicholas, Webb, and Tazewell; and they are to withdraw immediately.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Lee reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Bolling Starke, Esq.

43

For Meriwether Smith, Esq.

42

*Resolved*, That Bolling Starke, Esq. be appointed a member of the Privy Council, or Council of State, in the room of Bartholomew Dandridge, Esq. he having been elected to that office by joint ballot of both Houses of General Assembly.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

The order of the day being read, for the House to proceed by joint ballot with the Senate, to the choice of a delegate to represent this State in General Congress, from the 10th day of May to the 11th day of August next;

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed a delegate to represent this State in General Congress.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. George Mason, Webb, Richard Lee, and Tazewell; and they are to withdraw immediately.

*Ordered*, That Mr. Mason do acquaint the Senate therewith.

Mr. Mason reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Richard Henry Lee, Esq.

59

For James Mercer, Esq.

26

*Resolved*, That Richard Henry Lee, Esq. be appointed a delegate to represent this State in General Congress, from the 10th day of May to the 11th day of August next; he having been elected to that office by joint ballot of both Houses of General Assembly.

*Ordered*, That Mr. George Mason do carry the resolution to the Senate, and desire their concurrence.

The order of the day being read, for the House to proceed by joint ballot with the Senate, to the choice of a Naval Officer for the district of Nottoway and Blackwater rivers;

*Ordered*, That the members do immediately prepare tickets to be put into the glasses, with the name of the person to be appointed.

*Ordered*, That the glasses be brought in.

The glasses being accordingly brought in, the clerk and serjeant at arms attending this House, went with the same on each side of the House, to receive the said tickets.

And the members having put in their tickets, the glasses were brought up to the clerk's table.

*Ordered*, That a committee be appointed to meet a committee of the Senate in the conference room, and jointly with them to examine the tickets; and that they do report the numbers for the several persons ballotted for, as it shall appear to them, to the House.

And a committee was appointed, of Messrs. Jefferson, Adams and Judkins; and they are to withdraw immediately.

*Ordered*, That Mr. Jefferson do acquaint the Senate therewith.

Mr. Jefferson reported, from the committee, that they had met a committee of the Senate in the conference room, and had jointly with them examined the tickets accordingly, and had directed him to report the numbers for the several persons ballotted for, as it appeared to them, to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read, and is as followeth:

For Christopher Calvert,

49

Richard Wynn,

22

Nicholas Maget

16

*Resolved*, That the said Christopher Calvert, be appointed Naval Officer for the district of Nottoway and Blackwater rivers; he having been elected to that office by joint ballot of both Houses of General Assembly.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

An engrossed bill, "appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for appointing the place for holding the High

Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to amend an act, entitled 'an act, to restrain the operations of the acts for limitation of actions and recording deeds in certain cases,'" was read a third time.

*Resolved*, That the bill do pass, and that the title be, "an act to amend an act, entitled 'an act, to restrain the operations of the acts for limitation of actions and recording deeds in certain cases.'"

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to prevent private persons from issuing bills of credit, in the nature of paper currency," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to prevent private persons from issuing bills of credit, in the nature of paper currency."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for laying a public levy," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for laying a public levy."

*Ordered*, That Mr. Lee do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act to prevent private persons from issuing bills of credit, in the nature of paper currency," without any amendment. And then he withdrew.

*Ordered*, That leave be given to bring in a bill, "to enlarge the time for making draughts of the militia to recruit the Virginia regiments in the continental service," and that Mr. Pendleton do prepare and bring in the same.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, appointing Joseph Jones, John Blair, Thomas Ludwell Lee, Thompson Mason, and Paul Carrington, Esquires, Judges of the General Court. And then he withdrew.

Mr. Pendleton presented to the House, according to order, a bill, "to enlarge the time for making draughts of the militia to recruit the Virginia regiments in the continental service," and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

A message from the Senate by Mr. Carrington:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for paying for executed slaves and other matters, with an amendment thereto, to which amendment the Senate desire the concurrence of this House. And also,

The Senate have agreed to the bill, entitled "an act to restrain the operations of the acts for limitation of actions and recording deeds in certain cases," without any amendment. And also,

The Senate have agreed to the bill, entitled "an act for appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms," without any amendment. And he then withdrew.

*Ordered*, That leave be given to bring in a bill, "to ascertain the bounds and titles to unpatented lands on the western waters;" and that Messrs. Todd and Bledsoe do prepare and bring in the same.

Mr. Richard Henry Lee reported, from the committee to whom the proposition of Monsieur Loycaute was referred, that the committee had examined the matter thereof, and come to several resolutions thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the resolutions of the committee were read, and are as followeth, viz:

*Resolved*, That Monsieur Loycaute, ought to be engaged as Inspector General of artillery, fortification and military stores; and that it be his duty to search for a proper place where a general school may be established, to be approved and appointed by the Governor and Council on his report; after which, he is to proceed to collect materials, and construct the necessary works for executing his plan, and making such place a general school of instruction in the art of artillery, and fortification, and an arsenal for stores. He is also to examine accurately all parts of the State capable of being attacked, and susceptible of defence, and recommend to the Governor and Council such posts as may be most proper for batteries and other works, and for establishing small magazines for the more immediate supply of any place attacked. He is to superintend the artillery and fortifications, and return exact states of the stores from time to time, and direct the management of the school and arsenal. His pay to be two dollars and an half a day, besides customary rations and forage for two horses.

*Resolved*, That an Adjutant General be appointed by the Governor and Council, of some active, studious and intelligent citizen of this State, whose duty it shall be to follow the Inspector General in all his operations; and in his appointment, regard should be had to the prospect of his succeeding to that office, if circumstances should make it necessary; he is to keep and render perfect accounts of all cash put into the hands of the Inspector General; his duty to that of Lieut. Col. and his pay two dollars per day, besides customary rations and forage for two horses.

*Resolved*, That one hundred men, to be chosen by the Inspector General out of the regiment of artillery, the French independent company, or recruited, be employed at the said school for the purpose of particular training, and exchanged for others from time to time, in order to communicate the knowledge of artillery to the rest of the regi-



ment; in this number, the five serjeant bombardiers of Monsieur Loycaute's corps shall be employed, and in consideration of their being as well artificers as artillerists, shall be allowed one dollar and one third per day. The said one hundred men shall be formed into two companies, under the command of a captain and lieutenant, each. Monsieur Coyet, shall be the first captain; the other, and the lieutenants, shall be chosen by the Governor and Council: the whole to be under the command of Monsieur Pierre, as major, whose pay shall be one dollar and two thirds per day, besides customary rations; and the pay of Capt. Coyet, shall be one dollar and one third per day, besides rations.

*Resolved*, That the several officers beforementioned, shall be commissioned by the Governor and Council of this Commonwealth.

*Resolved*, That Monsieur Bagarre, be employed in the said school, with a commission to give him the rank of a captain, but no command except over the artificers; his pay to be one dollar and one third per day, besides the customary rations.

*Resolved*, That in consideration of the great merit of these foreign officers, in coming so far from home to assist the cause of liberty, and of their extraordinary skill and trouble in the introduction of this useful art amongst us, they ought to receive the following gratuity each, over and above their pay, to wit: to Monsieur Loycaute, the sum of 275*l*; to Monsieur Pierre, 165*l*; to Monsieur Coyet, 145*l*; and to Monsieur Bagarre, 145*l*; so long as they shall respectively continue in the service of this State; and if either of them shall happen to be wounded, or grow infirm in the service of this Commonwealth, a suitable provision shall be made for his future support, at the expense of the public.

*Resolved*, That a sum of money not exceeding in the whole 5,000*l*. be paid by the treasurer, by order of the Governor and Council, from time to time, as the same shall be necessary for the purposes of the foregoing resolutions, to be accounted for to the General Assembly.

*Resolved*, That the delegates from this Commonwealth, be instructed to apply to the General Congress, for the loan of eight field-pieces, for the purposes of experimental instruction in the school to be established, and that Congress be also desired to apply to his most Christian Majesty, to extend the term limited for the return of Monsieur Loycaute and his corps aforesaid, to their native country.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Henry Lee, do carry the resolutions to the Senate, and desire their concurrence.

Mr. Todd presented to the House, according to order, a bill, "to ascertain the bounds and titles to unpatented lands on the western waters;" and the same was received and read the first time.

*Resolved*, That the bill be read a second time.

The House proceeded to take into consideration the amendments made by the Senate, to the bill, entitled "an act, for adding part of the county of Westmoreland to King George, and part of the county of King George to Westmoreland;" and the said amendments were read, and are as followeth:

Line 3; after the word "that," insert "from and after the 20th day of March next."

Line 5; after the word "creek," insert "and down the said creek to Potomac river."

The said amendments being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and acquaint them that this House hath agreed to the amendments made by them.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, on the proposition of Monsieur Loycaute, "for establishing a corps of artillery in this State." And also,

The Senate have agreed to the resolutions of this House, "on the state of the navy." And also,

The Senate have agreed to the resolution of this House, "for making inquiry into the conduct of Capt. Yerby, relative to a French vessel, said to have been lately delivered up by him to the enemy; and for making compensation to the owner." And then he withdrew.

*Resolved*, *nemine contra dicente*, That George Webb, Esq. be appointed treasurer of this Commonwealth.

*Ordered*, That Mr. Nicholas do carry the resolution to the Senate, and desire their concurrence. 1794.

A message from the Senate by Mr. Henry Lee.

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for raising a supply of money for public exigencies." And also,

The Senate have agreed to the bill, entitled "an act for laying a public levy." And then he withdrew.

The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the bill, "for giving proper salaries to certain officers of government;"

The House resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Fleming took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Fleming reported, from the committee, that they had gone through the bill, and made several amendments thereunto, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered the bill, with the amendments, in at the clerk's table, where the amendments were once read throughout, and then a second time, one by one; and upon the question severally put thereupon, agreed to by the House.



*Ordered*, That the bill, with the amendments, be engrossed.

Mr. Jefferson reported, that the managers appointed by this House, had attended those of the Senate in the conference room, and had delivered their reasons for insisting on the amendment made by them to the resolution for paying Thomas Johnson 15*l.* 5*s.* 6*d.*; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was read.

*Ordered*, That the consideration of the said report be postponed.

The other order of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider further of the letters from the Governor, which, with several other papers, were ordered to lie upon the table.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, January 24, 1778.

An engrossed bill, "for giving proper salaries to certain officers of government," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for giving proper salaries to certain officers of government."

*Ordered*, That Gen. Nelson do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for appointing Richard Henry Lee, Esq. a delegate to represent this State in General Congress, from the tenth day of May to the eleventh day of August next. And also,

For appointing Bolling Starke, Esq., a member of the Privy Council, or Council of State. And also,

For appointing George Webb, Esq., treasurer of this Commonwealth. And then he withdrew.

A bill, "to enlarge the time for making draughts of the militia to recruit the Virginia regiments in the Continental service," was read a second time.

*Ordered*, That the bill be engrossed.

A bill, "to ascertain the bounds and titles of claimants to unpatented lands on the western waters," was read a second time.

*Resolved*, That the bill be committed.

*Resolved*, That the bill be committed to a committee of the whole House.

*Resolved*, That this House will now resolve itself into a committee, to consider of the said bill.

The House accordingly resolved itself into the said committee.

Mr. Speaker left the chair.

Mr. Starke took the chair of the committee.

Mr. Speaker resumed the chair.

Mr. Starke reported, from the committee, that they had directed him to report the bill to the House, without any amendment; and he delivered the bill in at the clerk's table.

And the question being put, that the bill be engrossed;

It passed in the negative.

An engrossed bill, "to enlarge the time for making draughts of the militia to recruit the Virginia regiments in the Continental service," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to enlarge the time for making draughts of the militia to recruit the Virginia regiments in the Continental service."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

Mr. Webb reported, from the committee appointed to examine the enrolled bills, that the committee had examined the enrolled bills, and rectified such mistakes as were found therein, and that they are truly enrolled.

*Ordered*, That Mr. Webb do carry the bills to the Senate, for their inspection.

*Resolved*, That for the future, the pay of the officers in the navy, in lieu of their former pay and extra rations; be as follows:

To the Commodore,	£1	5	0
Captain,		14	0
Lieutenant,		10	0
Master,		9	0
Master's Mate,		6	0
Midshipman,		6	0
Gunner,		6	0
Gunner's Mate,		4	0
Boatswain,		6	0
Boatswain's Mate,		4	0

And Pilot,

To the Carpenter,	£0	6	0
Carpenter's Mate,		4	0
Quartermaster,		3	6
Armorer,		5	0
Master at Arms,		4	9
Cook,		3	6
Steward,		4	0
Clerk,		3	0
Surgeon,		11	0
Surgeon's Mate,		7	6

7*s.* 6*d.* per day.

*Ordered*, That Mr. Richard Henry Lee do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That in case of the death or resignation of any Commissioner of the Navy, the Governor and Council have power to fill the vacancy, by appointing another Commissioner, until the pleasure of the General Assembly shall be known.

*Ordered*, That Mr. Richard Henry Lee do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That it be earnestly recommended to the inhabitants of the several counties and corporations in this Commonwealth, to provide by the month of August next, a complete suit of clothes for each soldier serving in the Continental army from such county or corporation, that those worthy citizens, who are bravely risking their lives in the common cause, may not depend for such necessities solely upon the precarious importation thereof; the clothes to be deposited with such person as shall be appointed by the Governor, and paid for by the public.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the following allowances be made to the officers of the General Assembly, to wit:

To the Rev. James Madison, chaplain,	-	-	-	£ 84 0 0
To Mr. John Tazewell, clerk of the House of Delegates,	-	-	-	437 10 0
To Mr. John Beckley, clerk of the Senate,	-	-	-	175 0 0
To Mr. Edmund Pendleton, jun., clerk of the committee of Privileges and Elections and Propositions and Grievances,	-	-	-	175 0 0
To Mr. Hinde Russell, clerk of the committee of Public Claims,	-	-	-	240 0 0
To Mr. William Drew, clerk of the committee for Courts of Justice and Trade,	-	-	-	105 0 0
To Mr. William Russell, clerk of the committee for Religion,	-	-	-	105 0 6
To Mr. Freeman Eppes, serjeant at arms to the House of Delegates,	-	-	-	133 0 6
To Mr. Bartlet Williams, serjeant at arms to the Senate,	-	-	-	133 0 0
To Robert Hyland, John Creah, William Hicks, and William Drinkard, doorkeepers to the House of Delegates, each	-	-	-	63 0 6
To Thomas Paul and William Rose, jun., doorkeepers to the Senate, each	-	-	-	63 0 0
To Robert Hyland, for cleaning the capitol and extraordinary services,	-	-	-	20 0 0

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act for giving proper salaries to certain officers of government.” And also,

The Senate have agreed to the resolution of this House, appointing Christopher Calvert, Naval Officer for the district of Nottoway and Blackwater. And then he withdrew.

*Ordered*, That the treasurer repay to the county of Caroline the sum of 15*l.* 4*s.* 0*d.*, by them paid for maintaining sundry sick soldiers in the service of the United States, and that the same be charged in the account of this Commonwealth, against the United States; and that the said treasurer also repay to the said county the sum of 5*l.*, by them paid for necessities for the family of Robert Fletcher, who hath a son a soldier in the service of the said United States.

*Ordered*, That Mr. Prentis do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have inspected the enrolled bills, and are satisfied they are truly enrolled; and they are signed by the Speaker of the Senate. And then he withdrew.

The House proceeded to take into consideration the amendments made by the Senate to the resolution for paying sundry claims for executed slaves, and other matters.

And the said amendments were read, and are as followeth:

Line 1st; after the word “that,” insert “the claims of Michael Franciscoc, for one bay horse, 9*l.*; John Walker, for one black ditto, 12*l.*; James Tuttle, for one brown mare, 5*l.*; William White, for one black horse, 11*l.*; Meredith Reins, for one black mare, 10*l.* 10*s.*; John Craig, for one roan horse, 7*l.* 10*s.*; Samuel Campbell, for one bay ditto, 10*l.* 10*s.*; Peter Huff, for one mare, pack saddle, and one kettle, 13*l.* 7*s.* 6*d.*; William Edmondson, for one white mare, 6*l.*; Andrew Bransteter, for one dark brown ditto, 10*l.* 10*s.* and Valentine Little, for a white ditto, 12*l.*,” be rejected, for want of sufficient proof; and line the 2d after “the,” insert “residue of.”

The said amendments being read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and acquaint them that this House have agreed to the amendments made by them to the said resolution.

The said amendments being severally read a second time, were, upon the question severally put thereupon agreed to by the House.

*Ordered*, That Mr. Richard Lee do carry the account to the Senate, and acquaint them that this House doth agree to the amendments made by them to the said account.

*Ordered*, That the public printer do print without delay the bill, entitled “an act for providing a supply of money for public exigencies;” also the bill, entitled “an act to prevent forestalling, regrating, engrossing, and public vendues;” and that the treasurer do cause the same to be conveyed by express to the several counties within this Commonwealth.

*Ordered*, That the clerk of this House do transmit a copy of the several papers filed in the office relating to the claim of Richard Henderson and Company and of the Indiana company, to George Mason and Thomas Jefferson, Esquires.

Whereas, it is of the greatest importance to this Commonwealth, that the waste and unappropriated lands to which no person having just claim should be disposed of, for the purpose of creating a sinking fund, in aid of the taxes for discharging the public debt, and to the end that the claims to unpatented lands, under the former or present government, may not in the mean time be increased or strengthened:

*Resolved*, That every entry, with the survey hereafter made in the country upon the western waters under any pretence or title whatsoever, until the land office shall be established and the manner and terms of granting waste and unappropriated lands, shall be void and of no effect; and that no persons hereafter settling in the country upon the said western waters, shall be entitled to any land or pre-emptions of land for such settlement, without paying for the same such consideration as shall be hereafter ascertained by the General Assembly, so as no family be entitled to more than 400 acres.

*Resolved*, That all persons claiming any unpatented lands on the said western waters by order of Council, shall lay the same before the General Assembly on or before the 20th day of their next session, and be at liberty in the mean time to take the depositions of any witnesses they may choose, to examine such claims, giving reasonable notice thereof to the person appointed by the Governor and Council to attend such examination in the county, on behalf of the Commonwealth, in case such person shall be appointed.

*Ordered*, That Mr. Mason do carry the resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Jones:

X Mr. SPEAKER,—The Senate have agreed to the bill, entitled “an act, to enlarge the time for making draughts of the militia to recruit the Virginia regiments in the continental service;” And also,

4 The Senate have agreed to the resolutions of this House, for repaying to the county of Caroline, 15*l.* 4*s.* 0*d.*; recommending it to the inhabitants of the several counties and corporations to furnish clothes for the soldiers raised therein; increasing the salary of the public printer; appointing Alexander Purdie, printer to the Commonwealth; and increasing the pay of the officers of the navy; and authorising the Governor, with the advice of the Council, to fill vacancies in the navy board. And then he withdrew.

A message from the Senate by Mr. Henry Lee:

X4 Mr. SPEAKER,—The Senate have agreed to the resolutions of this House, for preventing the settlement of the lands on the western waters, and directing all persons claiming any unpatented lands on the said waters, to lay their claims before the General Assembly on the 20th day of their next session. And then he withdrew.

A message from the Senate by Mr. Taylor:

Mr. SPEAKER,—The Senate have agreed to the resolution of this House, for paying to the officers of the General Assembly the several sums of money therein mentioned. And then he withdrew.

The Speaker of this House then signed the public and private bills, to wit:

“An act for speedily recruiting the Virginia regiments on the continental establishment, and for raising additional troops of volunteers.”

“An act for raising a supply of money for public exigencies.”

“An act to open the courts of justice, and to revive and amend an act, entitled ‘an act for the better regulating and collecting certain officers fees,’ and other purposes therein mentioned.”

“An act for laying a public levy.”

“An act to amend an act, entitled ‘an act to regulate the inoculation of the smallpox within this colony.’”

“An act for indemnifying the Governor and Council, and others, for removing and confining suspected persons during the late public danger.”

“An act for better securing the Commonwealth, and for the further protection and defence thereof.”

“An act for speedily clothing the troops raised by this Commonwealth now in continental service.”

“An act for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties.”

“An act for authorising the seizure of salt, in the same manner as provisions, for the use of the army.”

“An act to prevent forestalling, regrating, engrossing, and public vendues.”

4 “An act for enabling the public contractors to procure stores of provisions necessary for the ensuing campaign, and to prohibit the exportation of beef, pork and bacon, for a limited time.”

“An act for further suspending the payment of the salaries heretofore given to the clergy of the church of England.”

“An act to amend an act, entitled ‘an act, limiting the time for continuing the delegates to General Congress in office, and making provision for their support,’ and for other purposes.”

“An act for establishing a High Court of Chancery.”

“An act for establishing a General Court.”

“An act for giving certain powers to the Governor and Council.”

“An act to amend an act, entitled ‘an act, to restrain the operations of the acts for limitation of actions,’ and recording deeds in certain cases.”

“An act to prevent private persons from issuing bills of credit in the nature of paper currency.”



"An act to enlarge the time for making draughts of the militia to recruit the Virginia regiments in the continental service."

"An act appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms."

"An act for giving proper salaries to certain officers of government."

"An act for establishing a warehouse for the reception of tobacco at South Quay in Nansemond county and Hobb's Hole in Essex county."

"An act for appointing a Naval Officer on Nottoway and Blackwater."

"An act for forming several new counties, and re-forming the boundaries of two others."

"An act for establishing the town of Moorfield, in the county of Hampshire."

"An act to empower the commissioners of the Gun Manufactory at Fredericksburg, to take apprentices therein."

"An act for continuing an act, entitled 'an act for the more regular laying off the borough of Norfolk,' and an act, entitled 'an act, for appointing commissioners to inquire into and ascertain the losses sustained by the late inhabitants of the borough of Norfolk, and for other purposes.'"

"An act for adding part of the county of Westmoreland to King George, and part of the county of King George to Westmoreland."

"An act to revive and amend 'an act for appointing commissioners to ascertain the value of certain churches and chapels in the parishes of Frederick, Norborne and Beckford,' and for other purposes therein mentioned."

"An act to empower the justices of Cumberland and Fluvanna counties respectively, to appoint new places for holding their courts, and to repeal the act for laying off a town in the county of Cumberland."

"An act for dissolving the vestry of the parish of Christ Church, in the county of Lancaster."

"An act for altering the court day of the county of Washington."

"An act to empower the vestry of Saint Patrick's parish in the county of Prince Edward, to sell the glebe of the said parish, and to lay out the money in purchasing a more convenient glebe."

"An act to empower the trustees and feoffees in the town of Fredericksburg, to assess the expense of keeping the streets of the said town in repair, on the inhabitants thereof."

"An act for dissolving the vestries of the parishes of Meherrin and Saint Anne."

"An act to empower the vestry of the parish of Saint Paul in the county of Hanover, to sell the glebe of the said parish, and to lay out the money in the purchase of a more convenient glebe."

And then the House adjourned to the last Thursday in March next, then to meet at the capitol in the city of Williamsburg, or at such other place as the Governor and Council may appoint.



# JOURNAL

OF THE

## HOUSE OF DELEGATES

OF THE

COMMONWEALTH OF VIRGINIA;

BEGUN AND HELD AT THE CAPITOL,

**IN THE CITY OF WILLIAMSBURG,**

*ON MONDAY, THE FOURTH DAY OF MAY, IN THE YEAR OF OUR LORD ONE  
THOUSAND SEVEN HUNDRED AND SEVENTY-EIGHT.*

---

RICHMOND:

PRINTED BY THOMAS W. WHITE, OPPOSITE THE BELL-TAVERN.

.....  
1827.



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NOTE.—Owing to the imperfect state of the copy at the time of re-printing the *Journal of May, 1778*, the following 4 pages were unavoidably omitted in their proper place, (page 18, after line 19.) The Executive having since obtained a more perfect copy, the matter defective in the first, is here inserted.

T. W. WHITE.



Also, a petition of William Kennedy; setting forth, that he was employed in the year 1774, to carry letters to the Cherokee chiefs, from Colonel Andrew Lewis and Colonel William Preston, in order to prevent their resentment on account of a barbarous murder committed at Watawga, by a white man on a Cherokee Indian; that he travelled near seven hundred miles in the prosecution of his errand, and his labors were not ineffectual; that he has not received any satisfaction for his trouble; and praying such allowance as may be thought just and reasonable.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

Mr. Hite presented, according to order, a bill “to amend an act, entitled ‘an act for forming several new counties, and reforming the boundaries of two others;’” which was read the first time, and ordered to be read a second time.

A petition of sundry freeholders of the county of Pittsylvania, was presented to the House, and read; setting forth, that a petition of several other inhabitants of the said county is now depending before the House, in order, as is therein suggested, that the courthouse may be fixed at a place nearer the centre; that the allegations of the said petition are untrue; and praying that the place for fixing the courthouse may not be changed.

Also, a petition of the inhabitants of Washington county; setting forth, that they understand a petition is now depending before the House, for an alteration of the boundary line between the counties of Montgomery and Washington; and praying that such alteration may not take place.

Also, a petition of the inspectors at Bolling’s, Cedar Point, Bollingbrooke, Blandford, Boyd’s, Davis’s, and John Bolling’s warehouses; setting forth, that a former Assembly having fixed the price to be paid by the proprietors of tobacco, upon passing the same at the several warehouses in this Commonwealth, in lieu of the salaries formerly paid out of the public treasury, the petitioners by no means receive an adequate satisfaction for their trouble; and praying that a sufficient salary may be appointed to them.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the counties of Montgomery, Washington and Kentucky; setting forth, that they suffer greatly for want of a land law, and on account of the power of appointing surveyors being in the body in which it now resides; and praying that such relief may be given them in the premises as may seem just and reasonable.

*Ordered*, That the said petition do lie on the table.

An engrossed bill, “for continuing an act, ‘for giving certain powers to the Governor and Council,” was read the third time,

*Resolved*, That the bill do pass; and that the title be, “an act for continuing an act, ‘for giving certain powers to the Governor and Council.”

*Ordered*, That Mr. Lawson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, “for farther suspending the payment of the salaries heretofore given to the clergy of the church of England,” was read the third time,

*Resolved*, That the bill do pass; and that the title be, “an act for farther suspending the payment of the salaries heretofore given to the clergy of the church of England.”

*Ordered*, That Mr. Lawson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, “for raising volunteers to join the grand army,” was read the third time,

*Resolved*, That the bill do pass; and that the title be, “an act for raising volunteers to join the grand army.”

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee on the bill “providing a supply for the public exigencies,” being read,

*Ordered*, That the same be put off till Tuesday next.

The other orders of the day, for the House to resolve itself into a committee on the state of the Commonwealth, and on the bill “to amend an act, entitled ‘an act for raising a supply of money for public exigencies,” being also read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o’clock.

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MONDAY, May 25, 1778.

Three other members, having taken the oath required by law, took their seats in the House.

An engrossed bill, "for recruiting the continental army, and other purposes therein mentioned," was read the third time,

*Resolved*, That the bill do pass; and that the title be, "an act for recruiting the continental army, and other purposes therein mentioned."

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

A bill, "to amend an act, entitled 'an act for forming several new counties, and re-forming the boundaries of two others,'" was read a second time, and ordered to be engrossed and read a third time.

*Ordered*, That leave be given to bring in a bill "establishing Courts of Oyer and Terminer;" and that Messrs. Tazewell, Jefferson, Parker and Kello, do prepare and bring in the same.

A petition of Robert Tucker was presented to the House, and read; setting forth, that he was proprietor of several houses in the county of Norfolk, which were burnt by a party of soldiers in the service of this country, at the time when Lord Dunmore's fleet were lying off the town of Norfolk; that two storehouses belonging to the petitioner in the same town, which underwent a like fate with the other houses there situate, were omitted in the late valuation of the losses sustained by the inhabitants thereof; and praying such relief as may be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Trade; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Ballendine was presented to the House, and read; setting forth, that the sum of 5,000*l.* was advanced, by order of the Convention in 1776, to the petitioner and one John Reveley, for enabling them to erect a foundry on James river for the casting of cannon, and a blast furnace for the casting of pig iron to supply the said foundry, which have been since completed; that the repayment of the said sum of 5,000*l.* was stipulated to be in pig iron from the furnace, at 7*l.* 10*s.* per ton; that, considering the rapid and unforeseen rise of the price of labor, and every article of life, the petitioner cannot comply with his contract without a great disadvantage and loss; that the furnace will yield a greater quantity of iron than what will be sufficient for the payment aforesaid; that a forge for manufacturing bar iron, and a slitting mill, may be erected on the stream of water from the canal, contiguous to the foundry, with little expense and great advantage to the community; and praying that pig iron may be received from the said furnace for the repayment of the aforesaid sum of 5,000*l.* at the market price; that the petitioner may be informed whether the surplus of pig iron, over and above what will be sufficient for discharging the said sum, will be taken off his hands by the public, and that a forge and slitting mill may be erected on the stream of the canal on the account of the Commonwealth, or that proper encouragement be afforded him to undertake such a work.

Also, a petition of sundry inhabitants of the counties of Bedford and Henry; setting forth, that they presented a petition to the last session of Assembly for the establishment of a new county, to be formed by joining together part of each of their respective counties; that they conceive this measure would prove highly advantageous to their countrymen at large; and praying that such new county may be formed.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That the claims to the unpatented lands on the western waters, which, by a resolution of the last Assembly, on the 24th day of January, 1778, were directed to be laid before the General Assembly, on the 20th day of their then next session, be stated and presented to the House on the second Monday in the next session of this present General Assembly.

A petition of Thomas Madison was presented to the House, and read; setting forth, that under the direction of the Council, he employed several persons to herd the stocks of cattle and horses belonging to the public after the return of the army from the Cherokee expedition; that he has expended a considerable sum of money in purchasing cattle and hiring pack horses for the said expedition; that no satisfaction hath been made either to himself or the other persons above-mentioned; and praying that the premises may be taken into consideration, and the proper relief granted.

Also, a petition of Jeremiah Powell and Anne his wife; setting forth, that a horse belonging to one Francis Wright, of whom the said Anne was administratrix, was impressed by colonel Bullitt on the march of the troops under colonel Woodford to the Great Bridge; that the said Bullitt gave a certificate thereof, which by accident is since lost; and praying such relief as may be thought just and reasonable.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee, on the bill "to amend an act, entitled 'an act for raising a supply of money for public exigencies,'" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the bill under their consideration, and made several amendments thereto, which they had directed him to report when the House should think proper to receive them.

*Ordered*, That the report be received to-morrow.

A bill, "for giving farther time to non-jurors, and granting relief to certain offenders against the State," was read a second time, and ordered to be committed to a committee of the whole House.



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*Resolved*, That this House will, to-morrow, resolve into a committee on the said bill.

*Ordered*, That leave be given to bring in a bill "to amend an act 'for providing against invasions and insurrections;" and that Mr. Parker do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, taken into consideration the state of the Commonwealth, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee, to take into their farther consideration the state of the Commonwealth.

Mr. Parker presented, according to order, a bill "to amend an act, 'for providing against invasions and insurrections;" which was read the first time, and ordered to be read a second time.

*Ordered*, That Messrs. Lawson and Gilmer, have leave to be absent from the service of this House for the remainder of the session.

A motion being made, that the House come to the following resolution, to wit:

To testify our firm attachment to the cause of liberty, that the good people of this Commonwealth may be roused and influenced by example, and to give speedily and certain success to the two acts of General Assembly, passed this present session: viz. for raising a regiment of horse, and a brigade of foot, to join the grand army;

*Resolved*, That on the return of the members of this House, one delegate from each county pledges his honor to enter into the regiment of horse, or the brigade of foot, aforementioned, whichever he may prefer; except in the following cases: viz. where such delegate exceeds fifty years of age, has a son or sons in the army, or where he is disabled by bodily infirmity. And to ascertain which of the two members in each county shall be the person, where neither of them comes within the foregoing exemptions, that it shall be decided by fair and equal lot: and where it so happens that one of the members of this House is exempted by this resolution, and the other not, the one being able shall enter into the service as aforesaid.

The previous question was moved, and the question being propounded that the main question be now put,

It passed in the negative,

Yeas	28
Noes	61

A motion being made, and the question put that the names of the members who voted on each side of the previous question be entered on the Journal,

It passed in the negative,

Yeas	25
Noes	61

And then the House adjourned till to-morrow morning, 10 o'clock.

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## TUESDAY, May 26, 1778.

'The order of the day, of the 12th of May, for the House to hear the excuses of those members who were then absent, and censure those who neglected their duty without a sufficient cause, to be approved of by the House, being read,

*Ordered*, That the said order be adjourned till Saturday next.

*Ordered*, That leave be given to bring in a bill "to enforce the attendance of the members of the Assembly;" and that Messrs. Nicholas, Page and Jefferson, do prepare and bring in the same.

A petition of John Haynes was presented to the House, and read; setting forth, that he hired a horse to the public, for the expedition against the Cherokees, in the year 1776, which he has never since received, nor any satisfaction for the same; and praying such relief as may be thought just and reasonable.

Also, a petition of Thomas Berry; setting forth, that being informed that his son, who had enlisted into the continental service, was ill at camp, he sent a messenger to bring him home; that the messenger, whose expenses on this errand amounted to 22l. 10s. found him dead; and praying that the aforesaid sum may be repaid him.

Also, a petition of Joseph Watkins; setting forth, that while a soldier in the 6th Virginia regiment, he lost his left hand in the battle at Brandywine, whereby he is rendered incapable of farther service or labor; and praying such relief as may be thought just and reasonable.

Also, a petition of Charles McKimby; setting forth, that a horse belonging to him was impressed into the service of the public for the use of Captain Pawling's company, on their march to Kentucky county, which he has never received nor any satisfaction for the same; and praying such relief as may be thought just and reasonable.

Also, a petition of Archer Wilson; setting forth, that while a soldier in the 6th Virginia regiment, he lost the use of his left arm by a wound which he received in the battle at Germantown, whereby he is disabled from labor; and praying such relief as may be thought just and reasonable.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

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A petition of sundry inhabitants of the county of Henry, was presented to the House, and read; setting forth, that they understand that a petition from some other inhabitants of the said county is now depending before the House for the establishment of a new county, by adding a part of Henry to a part of Bedford; that such a measure would be highly injurious to the inhabitants of both counties; and praying that such a step may not be taken by the legislature.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances: that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

# JOURNAL

OF THE

## HOUSE OF DELEGATES.

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### GENERAL ASSEMBLY.

*BEGUN and holden at the Capitol, in the City of Williamsburg, on Monday, the fourth day of May,  
in the year of our Lord one thousand seven hundred and seventy-eight.*

On which day, being the day appointed by law for the meeting of the General Assembly, the oath required to be taken by the delegates were administered by the Privy Council to such of the members as appeared, after which they repaired to their seats in the House of Delegates.

But the number not being sufficient to proceed to business,  
The House adjourned till to-morrow morning, 10 o'clock.

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TUESDAY, May 5, 1778.

The House met according to adjournment; and several other members, having taken the oath required by law, took their seats in the House.

But the number not being sufficient to proceed to business,  
The House adjourned till to-morrow morning, 10 o'clock.

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WEDNESDAY, May 6, 1778.

The House met according to adjournment; and several other members, having taken the oath required by law, took their seats in the House.

But the number not being sufficient to proceed to business,  
The House adjourned till to-morrow morning, 10 o'clock.

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THURSDAY, May 7, 1778.

The House met according to adjournment; and several other members, having taken the oath required by law, took their seats in the House.

But the number not being sufficient to proceed to business,  
The House adjourned till to-morrow morning, 10 o'clock.

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FRIDAY, May 8, 1778.

The House met according to adjournment; and several other members having taken the oath required by law, took their seats in the House.



But the number not being sufficient to proceed to business,  
The House adjourned till to-morrow morning, 10 o'clock.

### SATURDAY, May 9, 1778.

The House met according to adjournment; and several other members, having taken the oath required by law, took their seats in the House.

But the number not being sufficient to proceed to business,  
The House adjourned till Monday morning, 10 o'clock.

### MONDAY, May 11, 1778.

The House met according to adjournment; and several others members, having taken the oath required by law, took their seats in the House.

But the number not being sufficient to proceed to business,  
The House adjourned till to-morrow morning, 10 o'clock.

### TUESDAY, May 12, 1778.

Several other members, having taken the oath required by law, took their places in the House.

*Ordered*, That Mr. Edmund Randolph be appointed clerk of this House.

Charles Carter, Esq. a delegate for the county of Stafford, reminded the House of the necessity of proceeding to the choice of a Speaker, and recommended Benjamin Harrison, Esq. a member for the county of Charles City, as a person who had given undeniable proofs of his abilities and integrity. He was seconded by Robert Lawson, Esq. a delegate for the county of Prince Edward.

And Meriwether Smith, Esq. a delegate for the county of Essex, recommended Thomas Jefferson, Esq. a member for the county of Albemarle, as a person in every respect qualified to fill that office, and was seconded by Mann Page, jr. Esq. a delegate for the county of Spotsylvania.

*Resolved*, That as only two persons are recommended for the office of Speaker, that this House will proceed to the election without ballot.

Whereupon, the question being put, the House divided, the members for Mr. Harrison going to the right side of the House, and those who were for Mr. Jefferson to the left.

Tellers for Mr. Harrison,	Messrs. Meriwether and Picket,	51
Tellers for Mr. Jefferson,	Messrs. Tyler and Edmondson,	23

So that Mr. Harrison being chosen Speaker of this House, he was conducted to the chair, from whence he made his acknowledgments to the House for the honor they had been pleased to confer on him, and requested their assistance towards the maintenance of regularity and good order.

*Ordered*, That Mr. Freeman Eppes be appointed serjeant at arms to this House.

*Ordered*, That James Madison, clerk, be appointed chaplain to this House, and that he attend to read prayers at eight o'clock every morning.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

*Ordered*, That Robert Hyland, William Hicks, John Creagh, and William Drinkard, be appointed door-keepers to this House, and that they give their attendance accordingly.

Whereas the public business has been greatly delayed, and an heavy, unnecessary expense, has been incurred through the want of a sufficient number of members to proceed to business; and whereas it is proper the censure of the good people of this Commonwealth should fall only upon those who deserved it,

*Resolved*, That the clerk enter upon the Journals, the names of the members now present.

*Resolved*, That the House will, on Tuesday the 27th of May, hear the excuses of those members who are absent, and censure those who have neglected their duty, without a sufficient cause, to be approved of by the House.

Whereupon the clerk took down the names of the members present, as followeth, viz:

For the county of <i>Albemarle</i> ,	Mr. Jefferson,	and Mr. Gilmer.
<i>Amelia</i> ,	Mr. Munford,	Mr. Pride.
<i>Augusta</i> ,	Mr. Cunningham,	Mr. Johnston.
<i>Caroline</i> ,	Mr. Lomax,	Mr. Upshaw.
<i>Charles City</i> ,	Mr. Harrison,	Mr. Tyler.

For the county of	<i>Charlotte,</i>	Mr. Morton,	and	Mr. Clayton.
	<i>Chesterfield,</i>	Mr. F. Goode,		Mr. Cogbill.
	<i>Culpeper,</i>	Mr. Strother,		Mr. Field.
	<i>Cumberland,</i>	Mr. G. Carrington,		Mr. J. Carrington.
	<i>Dinwiddie,</i>	Mr. W. Watkins,		Mr. Jones.
	<i>Elizabeth City,</i>	Mr. King,		Mr. Westwood.
	<i>Essex,</i>	Mr. Smith,		Mr. Edmondson.
	<i>Fauquier,</i>	Mr. Picket,		Mr. Chilton.
	<i>Gloucester,</i>	Mr. Burwell,		
	<i>Goochland,</i>	Mr. Payne,		Mr. Underwood.
	<i>Halifax,</i>	Mr. Terry,		Mr. Watkins.
	<i>Hanover,</i>	Mr. Dandridge,		
	<i>Henrico,</i>	Mr. Wilkinson.		
	<i>Henry,</i>	Mr. Herd,		
	<i>James City,</i>	Mr. Norvell,		Mr. Burwell.
	<i>Isle of Wight,</i>	Mr. Wills,		
	<i>King George,</i>	Mr. Washington,		
	<i>King &amp; Queen,</i>	Mr. Roe,		Mr. Lyne.
	<i>King William,</i>	Mr. Elliot,		
	<i>Lancaster,</i>	Mr. Griffin,		Mr. Selden.
	<i>Louisa,</i>	Mr. Meriwether,		Mr. Dabney.
	<i>Lunenburg,</i>	Mr. Tabb,		
	<i>Mecklenburg,</i>	Mr. Goode,		
	<i>Montgomery,</i>	Mr. Trigg,		
	<i>New Kent,</i>	Mr. Dandridge,		Mr. Allen.
	<i>Northumberland,</i>	Mr. Hull,		Mr. Cralle.
	<i>Northampton,</i>	Mr. Avery,		Mr. Bowdoin.
	<i>Orange,</i>	Mr. Moore,		
	<i>Pittsylvania,</i>	Mr. Shelton,		
	<i>Powhatan,</i>	Mr. Moore,		
	<i>Prince Edward,</i>	Mr. Lawson,		Mr. Nash.
	<i>Richmond,</i>	Mr. Peachey,		Mr. Smith.
	<i>Southampton,</i>	Mr. Kello,		Mr. Rogers.
	<i>Spotsylvania,</i>	Mr. Page,		Mr. Winslow.
	<i>Stafford,</i>	Mr. Carter,		
	<i>Surry,</i>	Mr. Brown.		Mr. Putney.
	<i>Sussex,</i>	Mr. Gee,		
	<i>Westmoreland,</i>	Mr. Lee,		Mr. Parker.
	<i>York,</i>	Mr. Prentis,		
	<i>Williamsburg,</i>	Mr. Nicholas,		
	<i>Norfolk Borough,</i>	Mr. Curle,		

*Ordered,* That the Speaker be desired to issue his writs for the election of delegates for the counties of Accomack, Buckingham and Warwick, no election having been holden for the said counties in the month of April last past.

*Resolved,* That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their consideration the state of the Commonwealth.

And then the House adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY, May 13, 1778.

Two other members, having taken the oath required by law, took their seats in the House.

*Ordered,* That a committee for Religion be appointed.

And a committee was appointed, of Messrs. George Carrington, Avery, Nash, Pride, Lewis Burwell, Underwood, Tyler, Bowdoin, Chilton, Cralle, Nathaniel Burwell, Selden, Micajah Watkins, Gee, Putney and Page; and they are to meet and adjourn from day to day, and to take under their consideration all matters and things relating to religion and morality, and all such as shall be from time to time referred to them, and report their proceedings, with their opinion thereupon, to the House; and the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered,* That a committee of Privileges and Elections be appointed.

And a committee was appointed, of Messrs. Charles Carter, Jefferson, Prentis, Lee, Lawson, Bartholomew Dandridge, George Carrington, Parker, Page, Winslow, Lomax, Morton, Clayton, Terry, Norvell, Washington, Roe, Elliott, Avery, Hull, Mayo, Cogbill, William Smith, Lewis Barwell, Gilmer, Griffin, and Meriwether Smith. And they are to meet and adjourn from day to day, and to examine in the first place all returns of writs for electing delegates to serve in this present General Assembly, and compare the same with the form prescribed by law, and to take into their consideration all such matters as shall or may come in question touching returns, elections, and privileges, and to report their proceedings, with their opinion thereupon, from time to time, to the House; and the said committee are to have power to send for persons, papers, and records, for their information.

*Resolved*, That in all cases of controverted elections to be heard at the bar of this House before the committee of Privileges and Elections, the petitioners do, by themselves or their agents, within a convenient time, to be appointed by the House or the committee of Privileges and Elections, as the matter to be heard shall be before the House or the committee, deliver to the sitting members, or their agents, lists of the persons intended to be objected to who voted for the sitting members, giving in the said lists the several heads of objections, and distinguishing the same against the names of the voters objected to; and that the sitting members do, by themselves or their agents, within the same time, deliver the like lists, on their parts, to the petitioners or their agents.

*Ordered*, That a committee of Propositions and Grievances be appointed.

And a committee was appointed, of Messrs. Jefferson, Bartholomew Dandridge, Lawson, Griffin, Meriwether, Carter, Page, Brown, Payne, Wilkinson, Nathaniel Burwell, Tabb, Samuel Goode, Trigg, Moore, Peachey, Kello, Gilmer, Cunningham, Munford, Upshaw, Tyler, Francis Goode, Strother, Joseph Carrington, William Watkins, King, Meriwether Smith, Edmundson, Picket, Terry, William Dandridge, Lyne, Allen, Curle and Nicholas. And they are to meet and adjourn from day to day, and to take into their consideration all propositions and grievances that shall come legally certified to this Assembly, and to report their proceedings, with their opinion thereupon, from time to time, to the House; and all such propositions and grievances are to be delivered to the clerk of the House, and by him to the said committee of course; and the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee of Public Claims be appointed.

And a committee was appointed, of Messrs. Richard Lee, George Carrington, Johnston, Terry, Morton, Field, Joseph Carrington, William Watkins, Picket, Payne, Herd, Wilkinson, Norvell, Washington, Elliott, Selden, Trigg, Allen, and William Smith. And they are to meet and adjourn from day to day, and to take into their consideration all public claims referred from the last to this session of Assembly, and also all such claims as shall be regularly certified and presented to this session, and to report their proceedings, with their opinion thereupon, to the House, when they have gone through the said claims; and all persons that have any claims are to deliver them to the said committee of course; and they are to have power to send for persons, papers and records, for their information.

*Ordered*, That a committee of Courts of Justice be appointed.

And a committee was appointed, of Messrs. Lawson, Bartholomew Dandridge, Lyne, Kello, Griffin, Curle, Nicholas, Parker, Field, Cogbill, Pride, Johnston, Jones, Shelton, Dabney and Westwood. And they are to meet and adjourn from day to day, and to take into their consideration all matters relating to Courts of Justice, and such other matters as shall from time to time be referred to them, and report their proceedings, with their opinion thereupon, to the House. And the said committee are to inspect the Journals of the last session, and draw up a state of the matters then depending and undetermined, and the progress that was made therein, and report the same to the House; and also to examine what laws have expired since the last session, and inspect such temporary laws as will expire with the end of this session, or are near expiring, and report the same to the House, with their opinions which of them are fit to be revived and continued; and the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee of Trade be appointed.

And a committee was appointed, of Messrs. Bartholomew Dandridge, Meriwether Smith, Curle, Bowdoin, Westwood, Edmundson, Herd, Wills, Moore, Nash, King, Prentis and Picket; and they are to meet and adjourn from day to day, and to take into their consideration all things relating to the trade of this Commonwealth; and all matters that shall be from time to time to them referred, and to report their proceedings, with their opinions thereupon, to the House; and the said committee are to have power to send for persons, papers, and records, for their information.

*Resolved*, That eleven of the committee of Propositions and Grievances, seven of the committee of Privileges and Elections, and five of any other committee, be a sufficient number to make a committee.

*Ordered*, That Mr. William Russell be appointed clerk to the committee for Religion, Mr. Edmund Pendleton, jun. clerk to the committees of Privileges and Elections and Propositions and Grievances, Mr. Hinde Russell clerk to the committee of Public Claims, and Mr. William Drew clerk to the committees for Courts of Justice and of Trade.

*Ordered*, That leave be given to bring in a bill, "granting free pardon to certain offenders;" and that Messrs. Jefferson, Page, Lawson, and Meriwether Smith, do prepare and bring in the same.

A petition of Thomas Johnson, jun. was presented to the House and read; setting forth, that he was appointed a captain in the county of Louisa, and raised his quota of men; that when about to march to join his regiment, he was obliged to hire a cart and two steers of Charles Yancey, to convey the baggage belonging to his company as far as Carr's bridge; that after they arrived thither, he was under the necessity of continuing them on to Fredericksburg, as he could not get another carriage; that after he had discharged the team, the two steers, on their return home, died;



that the petitioner was sued by the said Yancey, and a judgment obtained against him in the court of Louisa county, for the sum of 12*l.* 12*s.* and costs of suit, amounting to 2*l.* 13*s.* 6*d.*, which your petitioner is obliged to pay; and that he incurred this expense and damage in serving the public, and therefore praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; that they examine into the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Archer Payne was presented to the House, and read; setting forth, that his negro man slave Sambo, was, on or about the 20th of August, 1777, committed to the jail of Goochland county, on suspicion of felony; that a night or two before his trial, he broke jail, and committed many acts of violence and theft; that the said slave, though repeatedly exhorted to come in, refused so to do; that thereupon, a company went in pursuit of him, and having found him in a cave, required him to surrender, but proving obstinate, he was killed on the spot by one Edwin Gibson; and praying such relief as shall be thought just and reasonable.

A motion was made, and the question being put, that the petition be referred to the consideration of a committee, It passed in the negative.

The Speaker laid before the House, a letter from the Governor, stating several matters for the consideration of the General Assembly, and referring to sundry papers enclosed.

And the said letter and papers were read,

*Ordered*, That the said letter and papers, except the resolution of Congress which respects the granting of pardon to certain offenders, be referred to the committee of the whole House upon the state of the Commonwealth.

*Ordered*, That the resolution of Congress which respects the granting of pardon to certain offenders, be referred to the committee for preparing and bringing in a bill, "granting free pardon to certain offenders."

Mr. Jefferson presented to the House, according to order, a bill, "granting free pardon to certain offenders;" and the same was received, and read the first time.

*Resolved*, That the said bill be read a second time.

The order of the day being read,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the state of the Commonwealth.

And then the House adjourned, till to-morrow morning, 10 o'clock.

#### THURSDAY, May 14, 1778.

Two other members, having taken the oath required by law, took their places in the House.

A petition of the card-makers and wire-drawers within this Commonwealth, was presented to the House, and read; setting forth, that they have been at great expense and trouble in the erection of wire works; that the number of those persons who profess that branch of business, is too inconsiderable to supply the demand which is generally made for wire; that they are much impeded in their labor by being frequently called out upon military duty, and praying an exemption therefrom.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of Gerard Hooe, was presented to the House, and read; setting forth, that from the present advanced price of every necessary, the legal allowance for the passage of travellers over his ferry is become a very inadequate satisfaction for the expense of keeping proper boats and ferrymen, and praying an increase of ferriage.

A motion was made, and the question put, that the said petition be referred to the consideration of a committee, It passed in the negative.

A bill, "granting free pardon to certain offenders," was read a second time.

*Resolved*, That the bill be committed to a committee of the whole House, to-morrow.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled 'an act for the settlement and regulation of ferries, and for dispatch of public expresses,'" and that Messrs. Lyne and Griffin, do prepare and bring in the same.

A petition of part of the inhabitants of the county of Halifax, was presented to the House, and read; setting forth, that they are informed that a petition is to be offered to the present General Assembly, for a division of their county: that such division, should it take place, would prove greatly injurious to them, the present burthen of taxes being considered, and praying that the county may not be divided.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

Mr. Lawson, from the committee for Courts of Justice, to whom it was referred to inspect the Journals of the last session, and draw up a state of the matters then depending and undetermined, and the progress that was made therein, reported, that the committee had come to a resolution, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same, was again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the report of the commissioners appointed to inquire into, and ascertain the losses sustained by the late inhabitants of Norfolk, which at the last session of Assembly was referred to the consideration of a committee, which made no progress therein, ought to be referred to a special committee.

And a special committee was appointed, of Messrs. Lawson, Jefferson, Carter, Brown, Page, Bartholomew Dandridge, Griffin, Tyler, Parker and Nicholas; and they are to examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That this House will, at the next session of Assembly, receive the report from the committee appointed to revise the laws of this Commonwealth.

The House, according to the order of the day, resolved itself into a committee on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair; and Mr. Carter reported, that the committee had, according to order, had under their consideration the state of the Commonwealth, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

And then the House adjourned till to-morrow morning, 10 o'clock.

FRIDAY, May 15, 1778.

Several other members, having taken the oath required by law, took their seats in the House.

A petition of Philip Timberlake was presented to the House, and read; setting forth, that his son, while a soldier in the continental service, was sick for a considerable time at the petitioner's house, and occasioned great expense and trouble to him in effecting his cure, so as to enable him to join his corps, and praying such relief as may be thought just and reasonable.

Also a petition of Thomas Badgett; setting forth, that his son, while a soldier in the continental service, was sick for a considerable time at the petitioner's house, and occasioned great expense and trouble to him in effecting his cure, so as to enable him to join his corps, and praying such relief as may be thought just and reasonable.

Also a petition of William Criddle; setting forth, that having lost his right arm while a soldier in the minute service, during the campaign at Norfolk, the General Assembly allowed him 10*l.* per annum; that his excessive poverty, inability to gain a livelihood by any kind of labor, and increased price of all necessities, make that sum inadequate to his support; and praying such farther relief as may be thought just and reasonable.

Also a petition of Benjamin Fry; setting forth, that being a soldier in the continental service, he received a wound at the battle at Brandywine, which has deprived him of the use of his left arm, and thereby disabled him from subsisting by his own labor: and praying such relief as may be thought just and reasonable.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of Beverley Randolph was presented to the House, and read; setting forth, that Joseph Carrington, and George Carrington, Esquires, who were certified to be the delegates duly chosen at the late election to represent the county of Cumberland, were at the time of their election commissioners of the tax for the county aforesaid, and therefore, in his opinion, ineligible to either House of Assembly; and praying that a writ may issue for a new election.

*Ordered*, That the said petition be referred to the committee of Privileges and Elections; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

Several petitions of sundry inhabitants of the county of Amelia, were presented to the House, and read; setting forth, that the division of their county, which has been prayed for in a petition now depending before the House, would be highly injurious to them; and praying that such division may not take place.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill, to amend "an act, entitled 'an act to prevent forestalling, regrating, engrossing, and public vendues,'" and that Messrs. Bartholomew Dandridge, and Tyler, do prepare and bring in the same.

The Speaker laid before the House, a letter from the Governor, referring to papers delivered to him therewith.

*Ordered*, That the said letter and papers be referred to the committee of the whole House, on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee upon the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had under their consideration the state of the Commonwealth, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That a regiment of three hundred and fifty horse, be forthwith raised within this Commonwealth; that they be formed into troops of convenient size, each troop to choose its own



officers, and the whole to be commanded by field officers to be appointed by with all possible despatch, in such bodies as may be convenient, to join the grand army.

to proceed

*Resolved, that it is the opinion of this committee,* That the horses and accoutrements which may be necessary, in addition to those furnished by the troopers themselves, should be procured at the public expense, by persons to be appointed for that purpose by the Governor and Council; such horses and accoutrements to be considered as public property.

*Resolved, that it is the opinion of this committee,* That every horse which shall be killed, or die, and all horses, arms, and accoutrements, which shall be taken by the enemy in action, being the private property of any of the said troopers, shall be paid for by the public; the value to be ascertained under the direction of the commander in chief.

*Resolved, that it is the opinion of this committee,* That all monies so paid to the troopers for such their individual losses, and all losses to the Commonwealth, by horses killed or dying, or by horses, arms, or accoutrements, taken by the enemy in action, being the property of this Commonwealth, ought to be charged in account to the United States.

*Resolved, that it is the opinion of this committee,* That serving in this corps of volunteer horse, in any capacity whatever, ought not to vacate the seat of a member of either House of Assembly.

*Resolved,* That two thousand volunteers, rank and file, shall be raised in this Commonwealth in the speediest manner, who are to join the commander in chief of the American army when ordered so to do; that they receive from the public, at the time of their enlistment, a bounty of \_\_\_\_\_ dollars, and that their pay and rations be the same of the soldiers in the continental army; and that they serve till the first day of January, 1779, unless sooner discharged by the commander in chief.

*Resolved,* That the said volunteers, when raised, be formed into four distinct battalions, to consist of ten companies of fifty men each rank and file; the said companies to be commanded by a captain, lieutenant, and ensign, and that each company be allowed four sergeants, four corporals, one drummer and one fifer; and that each battalion be under the command of a lieutenant colonel commandant, and one major, and the whole under that of a brigadier general. The officers pay and rations to be the same of those in the continental army, and to commence from the time of their being called into service.

*Resolved,* That the captains, lieutenants, and ensigns, be appointed by the magistrates and field officers in each county, and that the brigadier general be chosen by joint ballot of both Houses, and commissioned by the Governor and Council, who shall appoint and commission the field officers.

*Resolved,* That as a farther encouragement to engage volunteers at this important and critical period, that all such as may enlist upon the terms aforesaid shall, over and above their bounty, receive from the public a suit of regimentals, be exempt from all draughts and military duty, except in case of an actual invasion of this Commonwealth, and the payment of any poll tax, for the space of twelve months, to commence from the day of their obtaining their discharge from the commander in chief of the American army; and that, while in camp, they shall be supplied with a gill of spirit per day, if to be had, for which they shall pay at the following rates, viz: For rum at the rate of 10s. per gallon, for brandy at the rate of 8s. per gallon, and for whiskey at the rate of 5s. per gallon, and for all such other articles as they may actually want, in the opinion of their brigadier general, or commanding officer of the brigade, that they may be supplied upon the terms such articles were purchased on in the year 1774.

*Resolved,* That the acts of the General Assembly heretofore passed, for the relief and support of the distressed wives and families of such soldiers as have hitherto enlisted into the service of this Commonwealth, extend to the wives and families of all such volunteer soldiers as may engage upon the terms aforesaid.

*Ordered,* That Messrs. Carter, Jefferson, Lawson, Lyne, Elliott, Parker, and Peachey, do prepare and bring in a bill pursuant to the 1st, 2d, 3d, 4th and 5th resolutions.

*Ordered,* That Messrs. Carter, Lawson, Jefferson, Bartholomew Dandridge, Meriwether Smith, Nathaniel Burwell, Lyne, Nicholas, George Carrington, and Meriwether, do prepare and bring in a bill pursuant to the 6th, 7th, 8th, 9th, and 10th resolutions.

*Ordered,* That General Nelson, have leave of absence from the service of this House, for the remainder of the session.

The order of the day for the House to resolve itself into a committee on the bill, "granting free pardon to certain offenders," being read,

*Ordered,* That the same be put off till to-morrow.

*Resolved,* That this House will, to-morrow, again resolve itself into a committee to take into their farther consideration, the state of the Commonwealth.

And then the House adjourned till to-morrow morning, 10 o'clock.

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SATURDAY, May 16, 1778.

Two other members, having taken the oath required by law, took their seats in the House.

Mr. B. Dandridge, from the committee appointed, presented, according to order, a bill, "to amend an act enti-



itled an act, "to prevent forestalling, regrating, engrossing, and public vendues;" which was read the first time, and ordered to be read a second time.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration the petition of William Criddle, to them referred, and had come to the following resolution thereupon, which he read in his place, and delivered in at the clerk's table, where the same was again twice read, and agreed to, as followeth :

*Resolved, that it is the opinion of this committee,* That the said petition is reasonable, and that the petitioner ought to be allowed the sum of \$1. for his present relief, and the farther sum of 21. per annum during life, in addition to his former annual allowance, which was 101.

*Ordered,* That Mr. Lee do carry the said resolution to the Senate, for their concurrence.

The House, according to the order of the day, resolved itself into a committee on the bill, "granting free pardon to certain offenders;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered it in at the clerk's table, where the same was again twice read, and agreed to.

*Ordered,* That the said bill, with the amendment, be engrossed and read a third time.

A petition of Robert Parker, was presented to the House and read, setting forth, that from an unjust suspicion of his being inimical to America, founded on his sometimes going on board of the British ships of war, with no other view than to solicit the restitution of, or payment for, a large quantity of stock, of which his exposed situation enabled the enemy to plunder him, his house was burnt by a party of militia, and himself sentenced to five years imprisonment, under which he is now suffering, and praying such relief as may be thought just and reasonable.

*Ordered,* That the said petition be referred to the committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, again resolved itself into a committee, to take into their farther consideration the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had under their consideration the state of the Commonwealth, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth :

*Resolved, that it is the opinion of this committee,* That the deficiencies in the quota of continental troops, to be raised in this State, be made up by voluntary enlistments, to serve during the war; that the Governor and Council be authorised to appoint recruiting officers for that purpose, and that the deficiencies which may hereafter happen from time to time be made up in the same manner; that proper encouragement be given to such officers for each soldier enlisted; that a bounty of        dollars be given to each soldier, and that he be furnished with a complete suit of clothes at the public expense; that the prices of necessities for soldiers be fixed, and the articles enumerated.

*Resolved,* That all free negroes or mulattoes, who enlisted, or shall enlist, to serve in the army during the war, shall be entitled to all the rights and privileges enjoyed by any subject of this State.

*Resolved,* That all soldiers who have enlisted, or shall enlist, to serve in the army, and serve during the war, shall be free from allevies and taxes, for their own persons, during life.

*Resolved,* That for the purpose of garrisoning the fortifications and batteries, erected for the defence of the several harbors within this Commonwealth, a battalion of infantry be enlisted, to serve three years, unless sooner discharged, and to receive the same bounty, pay, rations, and other advantages, as are allowed to continental officers and soldiers; and that, for their greater encouragement to enlist, the public faith be pledged, that they shall not be sent out of the Commonwealth.

*Resolved, that it is the opinion of this committee,* That for defraying the expense of raising and equipping the regiment of horse, four battalions of infantry, for continental service, and the battalion for the defence of the harbors within this Commonwealth, the treasurer be empowered to emit bills on the credit of this Commonwealth, not exceeding        hundred thousand dollars, and that provision should be made for the redemption thereof.

*Ordered,* That Messrs. Carter, Jefferson, Lawson, B. Dandridge, Lyne, Nicholas, M. Smith, Peachey, Southall, Parker, Page, Curle, and Elliott, do prepare and bring in a bill, or bills, pursuant to the foregoing resolutions.

*Resolved,* That this House will, on Monday next, again resolve itself into a committee, to take into their farther consideration the state of the Commonwealth.

*Ordered,* That Mr. Row have leave of absence from the service of this House, until Friday next.

The Speaker laid before House a letter from David Mason, Esq. colonel of the 15th Virginia regiment, enclosing a return of the troops raised by the act of Assembly, "for speedily recruiting the Virginia regiments on the continental establishment, and for raising additional troops of volunteers."

*Ordered,* That the same do lie on the table, for the perusal of the members.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, May 18, 1778.

Several other members, having taken the oath required by law, took their seats in the House.

A petition of Hugh Wallace was presented to the House, and read; setting forth, that while acting in the office of serjeant in the American army he lost one leg and part of his thigh, whereby he is disabled from gaining a livelihood, and praying such relief, as may be thought just and reasonable.

Also a petition of William Dickenson; setting forth, that he lost his right arm at the battle of Brandywine, in the service of America, whereby he is rendered unable to subsist by labor, and praying such relief, as may be thought just and reasonable.

Also a petition of George Lumedon; setting forth, that the sheriff of Louisa pressed a horse belonging to him, in order to convey a prisoner from that county to the public jail, which horse died in travelling down, and praying such relief, as may be thought just and reasonable.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of Edward Hansford was presented to the House, and read; setting forth, that Andrew Sprowle, late of Gosport, in the county of Norfolk, deceased, was indebted to him for sundry repairs and buildings in a considerable sum; that the petitioner has understood that government is in possession of the said Sprowle's estate, and praying that his demand may be discharged out of the same.

*Ordered*, That the said petition do lie on the table, to be perused by the members of the House.

An engrossed bill, "granting free pardon to certain offenders," was read a third time.

*Resolved*, That the said bill do pass, and that the title be, "an act granting free pardon to certain offenders."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, for their concurrence.

Mr. Lyne, from the committee appointed, presented, according to order, a bill, "to amend an act for the settlement and regulation of ferries, and for despatch of public expresses;" which was read the first time, and ordered to be read a second time.

Mr. Carter, from the committee appointed, presented, according to order, a bill, "for raising a regiment of horse;" which was read the first time, and ordered to be read a second time.

Mr. Carter, from the committee appointed, presented, according to order, a bill, "for raising a battalion of infantry for garrison duty;" which was read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee upon the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had under their consideration the state of the Commonwealth, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That provision should be made by law, for the speedy recovery of debts due to the United States.

*Resolved*, that it is the opinion of this committee, That provision ought to be made by law for varying the rates of pilotage, according to the exigencies of times, and that powers for that purpose should be vested in the navy board.

*Resolved*, that it is the opinion of this committee, That the measures taken by the Governor and Council for procuring a loan in France of two millions of livres, to discharge our debt there, are for the public advantage, and ought to be approved.

*Resolved*, that it is the opinion of this committee, That a clerkship of foreign correspondence is a necessary office, and that the same should be established and provided for by law.

*Resolved*, that it is the opinion of this committee, On consideration of the several resolutions of Assembly constituting Monsieur Loycaute inspector general of artillery, fortifications, and military stores, that it was not intended he should have military command.

*Resolved*, that it is the opinion of this committee, That the Governor be advised to communicate to our delegates in Congress, the failure of the measures heretofore taken by Congress for the settlement of the accounts of this Commonwealth against the United States, and the causes thereof, and to desire that they will endeavor to procure such farther orders from Congress as may produce such settlement.

*Ordered*, That Messrs. Carter, Parker, and Jefferson, do prepare and bring in a bill pursuant to the first resolution.

*Ordered*, That the committee of Trade do prepare and bring in a bill pursuant to the second resolution.

*Ordered*, That Mr. Carter do carry the third resolution to the Senate, for their concurrence.

*Ordered*, That Messrs. Carter, Jefferson, and Curle, do prepare and bring in a bill pursuant to the fourth resolution.

*Ordered*, That Mr. Jefferson do carry the fifth resolution to the Senate, for their concurrence.

*Resolved*, That this House will, on Thursday next, again resolve itself into a committee to take into their farther consideration the state of the Commonwealth.

And then the House adjourned till to-morrow morning, 10 o'clock.

TUESDAY, May 19, 1778.

Another member, having taken the oath required by law, took his seat in the House.

Mr. Carter, from the committee appointed, presented, according to order, a bill, "providing speedy remedy against defaulters to the United States;" which was read the first time, and ordered to be read a second time.

Mr. Carter, from the committee appointed, presented, according to order, a bill, "establishing a clerkship of foreign correspondence;" which was read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill, "empowering the Judges of the High Court of Chancery to supply certain vacant offices, making a temporary provision for the clerk thereof, and establishing a method of appealing to that court in particular cases;" and that Messrs. Jefferson and Griffin, do prepare and bring in the same.

A petition of Joseph Starke was presented to the House, and read; setting forth, that while employed as a surgeon's mate to the second minute battalion on the expedition against the Cherokees in the year 1776, under the command of Col. Christian, he lost a horse, which had been valued to 18*l.*, and praying that such valuation may be paid for by the public.

*Ordered*, That the said petition be referred to the committee of Public Claims; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill, "for giving farther time to nonjurors, and granting relief to certain offenders against the State," and that the committee of Propositions and Grievances do prepare and bring in the same.

A bill, "for raising a regiment of horse," was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will immediately resolve itself into a committee on the said bill.

The House accordingly resolved itself into the said committee, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made no amendment thereto.

*Ordered*, That the said bill be engrossed, and read a third time.

A bill, "for raising a battalion of infantry, for garrison duty," was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will immediately resolve itself into a committee on the said bill.

The House accordingly resolved itself into the said committee, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the bill with the amendments, be engrossed, and read a third time.

Mr. Jefferson, from the committee appointed, presented, according to order, a bill, "empowering the Judges of the High Court of Chancery, to supply certain vacant offices, making a temporary provision for the clerk thereof, and establishing a method of appealing to that court in particular cases;" which was read the first time, and ordered to be read a second time.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration, sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as follows :

*Resolved*, that it is the opinion of this committee, That the petition of Hugh Wallace, a serjeant in the sixth Virginia regiment, who lost one of his legs in the battle at Brandywine, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of full pay, as a serjeant, during life, and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of William Dickinson, a soldier in the sixth Virginia regiment, who lost his right arm in the battle at Brandywine, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of full pay, as a soldier, during life, and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of Benjamin Fry, a serjeant in the fourteenth Virginia regiment, who lost the use of his left arm in consequence of a wound he received in the battle at Brandywine, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of full pay, as a serjeant, during life, and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Ordered*, That Mr. Lee do carry the said resolutions to the Senate, for their concurrence.

Mr. Carter, from the committee appointed, presented, according to order, a bill, "for raising volunteers, to join the grand army;" which was read the first time, and ordered to be read a second time.

*Ordered*, That Messrs. Talbot, Meriwether, Shelton, Glenn, Underwood, King, Dabney, Munford, Wills and Wilson, be added to the committee of Public Claims; Messrs. Custis, Brent and Wilson, to the committee of Propositions and Grievances; and Mr. Custis to the committee of Religion.



A bill, "to amend an act, entitled 'an act to prevent forestalling, regrating, engrossing, and public vendues,' was read a second time.

On a motion made, that the said bill be committed,

It passed in the negative.

The question being put, that the said bill be engrossed, and read a third time,

It passed in the negative.

A bill, "to amend an act, for the settlement and regulation of ferries, and for despatch of public expresses," was read a second time.

The question being put, that the said bill be engrossed, and read a third time,

It passed in the negative.

Mr. Carter, from the committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration, two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of Robert Parker, praying to be released from imprisonment, which he was sentenced by the county court of Accomack to suffer, during five years, for disaffection to the Commonwealth, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of divers persons, card-makers and wire-drawers, praying to be exempted from draughts and militia duty, be rejected.

The first resolution of the committee being read a second time, and the question being put, that the House doth agree with the committee in the said resolution,

It passed in the negative.

The second resolution of the committee being read a second time, was, on the question put thereupon, agreed to by the House.

And then the House adjourned, till to-morrow morning, 10 o'clock.

### WEDNESDAY, May 20, 1778.

Two other members, having taken the oath required by law, took their seats in the House.

An engrossed bill, "for raising a battalion of infantry, for garrison duty," was read the third time.

*Resolved,* That the bill do pass, and that the title be "an act for raising a battalion of infantry, for garrison duty."

*Ordered,* That Mr. Carter do carry the bill to the Senate, for their concurrence.

Mr. Bartholomew Dandridge, from the committee of Trade, presented, according to order, a bill, "vesting powers in the commissioners of the navy, for varying the rates of pilotage according to the exigencies of times;" which was read the first time, and ordered to be read a second time.

A petition of John Carlyle and others, purchasers of lots in the town of Bath, in the county of Berkeley, was presented to the House, and read; setting forth, that it is become almost impossible to build on the said lots such houses as are required by law for saving the same, by the first day of September next; and praying that the time may be extended for making the necessary improvements.

*Ordered,* That a bill be brought in, pursuant to the prayer of the said petition, and that Messrs. Custis, Jefferson and Page, do prepare and bring the same.

Mr. Carter, from the committee appointed, presented, according to order, a bill, "providing a supply for public exigencies;" which was read the first time, and ordered to be read a second time.

A bill, "empowering the Judges of the High Court of Chancery, to supply certain vacant offices, making a temporary provision for the clerk thereof, and establishing a method of appealing to that court in particular cases," was read a second time, and ordered to be engrossed, and read a third time.

A bill, "providing speedy remedy against defaulters to the United States," was read a second time, and being amended, was ordered to be engrossed, and read a third time.

A bill, "establishing a clerkship of foreign correspondence," was read a second time, and ordered to be engrossed, and read a third time.

Mr. Custis, from the committee appointed, presented, according to order, a bill, "for giving a farther time to the purchasers of lots at the Warm Springs, in the county of Berkeley, to build thereon;" which was read the first time, and ordered to be read a second time.

A bill, "for raising volunteers to join the grand army," was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved,* That this House will immediately resolve itself into a committee on the said bill.

The House accordingly resolved itself into the said committee, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee on the said bill.

A petition of George Doggett was presented to the House, and read; setting forth, that while he was on service as a militia man at head quarters, in Pennsylvania, a gun, loaded with a ball, went off by accident, which entered his thigh just above the joint of his knee and came out at the small part of his leg, whereby he is unable to subsist by labor, and praying such relief as may be thought just and reasonable.

Also, a petition of John Brown, a sergeant in the 9th Virginia regiment, setting forth, that he served in the last campaign in Col. Morgan's regiment of riflemen, and in the action at Saratoga received a ball in the left arm, which has rendered him unfit to procure a livelihood, and praying such relief as may be thought just and reasonable.

Also, a petition of Grizzel Whitehead, setting forth, that she had a horse impressed for the purpose of removing John Goodrich from Bedford to Williamsburg, which she has never since received, nor any satisfaction for the same, and praying such allowance as may be thought just and reasonable.

Also, a petition of John Temple, setting forth, that while a soldier in the 6th Virginia regiment, he lost the sight of one of his eyes, and was thereby rendered incapable of subsisting by means of his own industry.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

An engrossed bill, "for raising a regiment of horse," was read the third time, and the blanks filled up.

*Resolved*, That the bill do pass, and that the title be, "an act for raising a regiment of horse."

*Ordered*, That Mr. Carter do carry the bill to the Senate, for their concurrence.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, May 21, 1778.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled, 'an act for forming several new counties, and re-forming the boundaries of two others,'" and that Mr. Hite do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled 'an act for regulating and disciplining the militia,'" and that Messrs. Lawson and Mayo do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled 'an act for raising a supply of money for public exigencies,'" and that Messrs. Nicholas and Page do prepare and bring in the same.

A motion was made, and the question being put, that leave be given to bring in a bill, "to increase the allowance to the members of the General Assembly,"

It was resolved in the affirmative.

Ayes 42

Noes 41

*Ordered*, That Messrs. Lyne and Lawson do prepare and bring in the same.

An engrossed bill, "providing speedy remedy against defaulters to the United States," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act giving speedy remedy to the United States against defaulters."

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "empowering the Judges of the High Court of Chancery to supply certain vacant offices, making a temporary provision for the Clerk thereof, and establishing a method of appealing to that Court in particular cases," was read the third time, and the blank filled up.

*Resolved*, That the bill do pass; and that the title be, "an act empowering the Judges of the High Court of Chancery to supply certain vacant offices, making a temporary provision for the Clerk thereof, and establishing a method of appealing to that Court in particular cases."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "establishing a clerkship of foreign correspondence," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act establishing a clerkship of foreign correspondence."

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

A petition of James Davenport was presented to the House, and read; setting forth, that being a soldier in the continental service, he received a wound in the ankle, at the battle at Brandywine, which disabled him from doing military duty, and acquiring a livelihood by his labor, and praying such relief as may be thought just and reasonable.

Also, a petition of John Wilson, setting forth, that on the 23d day of August last, he entered as a volunteer in Capt. William Forman's company of militia for the defence of the frontiers, and in an engagement received a wound in his right arm, by a ball, which has rendered him unfit for labor, and praying such relief as may be thought just and reasonable.

Also, a petition of William Watkins, setting forth, that amongst the money which he received for the public cards allotted to the county of Dinwiddie, a counterfeit eight dollar bill came to his hands, and praying that an allowance may be made him for the same, in the settlement of his account with the treasurer.

Also, a petition of John Hambleton, setting forth, that while a soldier in the 15th Virginia regiment, he so much

impaired his health as to become incapable of farther duty, and was therefore discharged from the service; that he still remains unable to subsist by his own labor, and praying such relief as may be thought just and reasonable.

Also, a petition of John Cullins, setting forth, that being a volunteer in Capt. William Forman's company of militia, drawn into actual service for the defence of the frontiers, he received a wound in his right leg, by a shot from the enemy, which broke and shattered the bone; that for a considerable time he was in great danger of losing his leg, and after it began to grow better, he was taken with the smallpox, which put him to great expense; that he is rendered unable by these circumstances to earn his livelihood, and praying such relief as may be thought just and reasonable.

*Ordered*, That the said petitions be referred to the committee of Claims; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

Mr. Lawson, from the committee for Courts of Justice, to whom it was referred, to examine such laws as will expire with the end of this present session of Assembly, reported, that the committee had, according to order, examined the same, and had come to two resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That so much of an act of Assembly, made in the 22d year of the reign of King George II., entitled "an act for the support of the clergy, and for the regular collecting and paying the parish levies," or of any other act as provides salaries for the ministers, and authorises the vestries to levy the same, except in the cases directed by an act of Assembly, passed in the year one thousand seven hundred and seventy-six, entitled "an act for exempting the different societies of dissenters from contributing to the support and maintenance of the church as by law established and its ministers, and for other purposes therein mentioned," which was, by several acts passed from session to session, suspended until the end of this present session of Assembly, ought to be farther suspended until the end of the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the act of Assembly passed in the year one thousand seven hundred and seventy-seven, entitled "an act, for giving certain powers to the Governor and Council," which will expire at the end of this session of Assembly, ought to be continued.

*Ordered*, That the committee for Courts of Justice do prepare and bring in bills pursuant to the foregoing resolutions.

A bill, "for giving a farther time to the purchasers of lots at the Warm Springs, in the county of Berkeley, to build thereon," was read a second time.

*Ordered*, That the bill be engrossed and read a third time.

A bill, "vesting certain powers in the commissioners of the navy, for varying the rates of pilotage according to the exigencies of times," was read a second time.

*Ordered*, That the bill be engrossed and read a third time.

A bill, "providing a supply for the public exigencies," was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will, to-morrow, resolve itself into a committee on the said bill.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read.

*Resolved*, that it is the opinion of this committee, That the petition of Captain Thomas Johnson; praying to be reimbursed a judgment and costs of suit obtained against him in the court of the county of Louisa, for two steers, which were hired for the purpose of transporting the baggage, &c. of his company, when ordered to join their regiment, in which service the said steers died, is reasonable; and that the petitioner ought to be repaid the said judgment and costs, amounting to the sum of 15*l.* 5*s.* 6*d.*

*Resolved*, that it is the opinion of this committee, That the petition of Philip Timberlake; praying an allowance for nursing and maintaining his son, John Timberlake, a soldier in the continental service, who came to his house sick some time in the year 1776, where he remained confined eight months, and then returned to duty, is reasonable; and that the petitioner ought to be allowed for the same at the rate of 10*l.* per day for 240 days, which amounts to the sum of 10*l.*; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of Thomas Badgett, whose son, John Badgett, a soldier in the continental service, was taken sick on his march from Williamsburg to the northward, and carried to the house of the petitioner, where he remained three months, and then joined his regiment, is reasonable; and that the petitioner ought to be allowed at the rate of 10*l.* per day, for 90 days, which amounts to 3*l.* 15*s.* as a compensation for his trouble and expense in nursing and maintaining his said son during that period; also, the farther sum of 20*s.* to reimburse him the expense in removing him home; and that the several sums aforesaid ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of George Lumsdon; praying to be allowed for his horse, which was impressed by the sheriff of Louisa county, to convey a runaway negro to the public jail, and in that service died, be rejected.

The first, second, and third resolutions, being read a second time, were, upon the question put thereupon, agreed to by the House.



A motion was made, and the question being put, that the fourth resolution be recommitted to the committee of Public Claims,

It was resolved in the affirmative.

*Ordered*, That Mr. Lee do carry the first, second, and third resolutions to the Senate, and desire their concurrence.

Mr. Lawson, from the committee for Courts of Justice, presented, according to order, a bill "for farther suspending the payment of the salaries heretofore given to the clergy of the church of England;" which was read the first time, and ordered to be read a second time.

Mr. Lawson, from the committee appointed, presented, according to order, a bill, "for recruiting the continental army, and other purposes therein mentioned;" which was read the first time, and ordered to be read a second time.

Mr. Nicholas, from the committee appointed, presented, according to order, a bill, "to amend an act, entitled 'an act, for raising a supply of money for public exigencies;" which was read the first time, and ordered to be read a second time.

Mr. Lawson, from the committee for Courts of Justice, presented, according to order, a bill, "for continuing an act, for giving certain powers to the Governor and Council;" which was read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee, on the bill, "for raising volunteers to join the grand army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, had gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive them.

*Ordered*, That the report be received to-morrow.

The Speaker laid before the House, a letter from the Governor, stating several matters for the consideration of the House, and referring to sundry papers enclosed therein.

*Ordered*, That the said letter and papers be referred to the committee of the whole House, on the state of the Commonwealth.

Mr. Carter, from the committee of Propositions and Grievances, presented, according to order, a bill, "for giving farther time to non-jurors, and granting relief to certain offenders against the State;" which was read the first time, and ordered to be read a second time.

The order of the day being read, for the House to resolve itself into a committee, to take into their farther consideration the state of the Commonwealth.

*Ordered*, That the same be put off till to-morrow.

And then House adjourned till to-morrow morning; 10 o'clock.

FRIDAY, May 22, 1778.

Several other members, having taken the oath required by law, took their seats in the House.

Mr. Carter, from the committee of Privileges and Elections, reported, that the committee had, according to order, had under their consideration the several certificates of the election of delegates to serve in this present General Assembly, and compared the same with the form prescribed by law, and had come to two resolutions thereupon, which they had directed him to report to the House; and he read the report in his place and afterwards delivered it in at the clerk's table, where the same was again read, and is as followeth:

*Resolved*, that it is the opinion of this committee, That the certificates of the election of delegates to serve in this present General Assembly, for the counties of Albemarle, Amelia, Amherst, Augusta, Bedford, Botetourt, Caroline, Charles City, Charlotte, Chesterfield, Cumberland, Culpeper, Dinwiddie, Essex, Fairfax, Fauquier, Gloucester, Halifax, Hampshire, Hanover, Henrico, Henry, James City, Isle of Wight, King and Queen, King George, King William, Lancaster, Louisa, Lunenburg, Montgomery, New-Kent, Norfolk, Northampton, Orange, Pittsylvania, Powhatan, Prince Edward, Prince George, Richmond, Rockingham, Southampton, Stafford, Surry, Sussex, Washington, Westmoreland, and of a delegate for the borough of Norfolk and city of Williamsburg, are made in the form prescribed by law.

*Resolved*, that it is the opinion of this committee, That the certificates of the elections of delegates, to serve in this present General Assembly for the counties of Brunswick, Gloucester, Mecklenburg, Northumberland, Princess Anne and York, are not made in the form prescribed by law.

The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That the certificates reported upon in the last of the said resolutions, do lie upon the table.

An engrossed bill, "vesting powers in the commissioners of the navy for varying the rates of pilotage according to the exigencies of times," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act vesting powers in the commissioners of the navy for varying the rates of pilotage according to the exigencies of times."

*Ordered*, That Mr. Dandridge do carry the bill to the Senate, and desire their concurrence.

Mr. Page, according to order, reported from the committee of the whole House, to whom was committed the bill "for raising volunteers to join the grand army," the amendments which the committee had directed him to report to the House, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the bill with the amendments be engrossed, and read a third time.

An engrossed bill, "for giving a farther time to the purchasers of lots at the Warm Springs, in the county of Berkeley, to build thereon," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be "an act for giving a farther time to the purchasers of lots at the Warm Springs, in the county of Berkeley, to build thereon."

*Ordered*, That Mr. Custis do carry the bill to the Senate, and desire their concurrence.

A bill "for farther suspending the payment of the salaries heretofore given to the clergy of the church of England," was read a second time.

*Ordered*, That the bill be engrossed, and read a third time.

A bill "for continuing an act for giving certain powers to the Governor and Council," was read a second time.

*Ordered*, That the bill be engrossed, and read a third time.

A bill, "to amend an act, entitled 'an act, for raising a supply of money for public exigencies'" was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will, to-morrow, resolve itself into a committee on the said bill.

A bill "for recruiting the continental army, and other purposes therein mentioned," was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will immediately resolve itself into a committee on the said bill.

The House accordingly resolved itself into the said committee, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had according to order, had the said bill under their consideration, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the report be received to-morrow.

The orders of the day for the House to resolve itself into a committee on the bill "providing a supply for the public exigencies," and to take into their farther consideration the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, May 23, 1778.

Two other members, having taken the oath required by law, took their seats in the House.

The Speaker laid before the House two letters from the Governor, one containing a letter from the delegates in Congress, a proclamation, and an address of the Congress to the inhabitants of the United States, the other containing a letter from Count Pulaski, and a resolution of Congress concerning the raising of a corps of infantry and cavalry to be commanded by him.

*Ordered*, That the said proclamation be forthwith published in the Virginia Gazettes, and that the letters, together with the papers therein contained, do lie on the table.

Mr. Page, according to order, reported from the committee of the whole House, several amendments to the bill "for recruiting the continental army, and other purposes therein mentioned," which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill with the amendments be engrossed, and read a third time.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration the petition of John Hambleton to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of John Hambleton, a soldier in the 15th Virginia regiment, whose health, whilst in the service, was so much impaired as to render him unfit for duty, and unable at this time to labor for a livelihood, is reasonable, and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Ordered*, That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

A memorial of the commissioners of the navy, was presented to the House, and read; setting forth, that the allowance made to their clerk is not sufficient to compensate him for the great trouble and constant attendance he is obliged to give in performing the duties of that office, and praying that the said allowance may be increased.

*Ordered*, That the said memorial be referred to the committee of Trade; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of George Caldwell, was presented to the House and read; setting forth, that an allowance was made him at the last session of Assembly for a horse belonging to him, which had been impressed, and, as was then supposed, lost in the Cherokee expedition, in the year 1776; that the petitioner has since recovered the said horse, but was at some expense in so doing; that he has not received any of the allowance aforesaid, but that it hath been returned to the treasury, and praying some satisfaction for his expenses in regaining the said horse.

Also a petition of James Powell Edmondson; setting forth, that being a private in Col. Morgan's corps of riflemen, in an engagement with the enemy he received a wound upon his leg, which shattered the bone in such a manner that it was soon afterwards necessarily amputated, which has disabled him from earning a livelihood by labor, and praying such relief as may be thought just and reasonable.

Also a petition of Joseph Miles, late a soldier in the 2d Virginia regiment; setting forth, that while in service he had his sight so much injured by the firing of a cannon, that he was discharged therefrom; that he has since spent all that he had, in employing a physician to cure his defect of sight; that every effort has proved ineffectual to restore it, and himself is disabled from living by his own labor, and praying such relief as may be thought just and reasonable.

Also a petition of Jacob Early, setting forth, that he had a horse in the service of the country on the Cherokee expedition, which is lost, and for which he has received no satisfaction, and praying that the value thereof may be paid to him.

Mr. Lyne, from the committee appointed, presented according to order, a bill, "to increase the allowance to the members of the General Assembly;" which was read the first time, and ordered to be read a second time.

An engrossed bill, "to amend an act, entitled 'an act for forming several new counties, and re-forming the boundaries of two others,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act to amend an act, entitled 'an act for forming several new counties, and re-forming the boundaries of two others.'"

*Ordered*, That Mr. Hite do carry the bill to the Senate, and desire their concurrence.

A bill, "to amend an act for providing against invasions and insurrections;" was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will, to-morrow, resolve itself into a committee on the said bill.

Mr. Carter, from the committee of the whole House, reported, according to order, amendments to the bill "to amend an act, entitled 'an act for raising a supply of money for public exigencies,'" which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and, being amended, were agreed to.

*Ordered*, That the said bill, with the amendments so amended, be engrossed and read a third time.

The House, according to the order of the day, resolved itself into a committee on the bill "for giving farther time to non-jurors, and for granting relief to certain offenders against the State;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Prentiss reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, again to-morrow, resolve itself into a committee of the whole House, on the said bill.

The order of the day for the House to resolve itself into a committee, on the bill, "providing a supply for public exigencies," being read,

*Ordered*, That the same be put off till Thursday next.

The other order of the day, for the House to resolve itself into a committee, to take into their farther consideration the state of the Commonwealth, being also read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, May 27, 1778.

Three other members, having taken the oath required by law, took their seats in the House.

*Ordered*, That Mr. Curle have leave to be absent from the service of this House till Monday next.

Mr. Page laid before the House the proceedings of the commissioners from the States of Virginia and North Carolina, at Fredericksburg the 3d day of March, 1778, for the purposes of regulating and ascertaining the price of labor, manufactures, internal produce, and commodities imported from foreign parts, (military stores excepted) and also to regulate the charges of innholders, according to a resolution of Congress made on the 20th of November last.

*Ordered*, That the said proceedings be referred to the committee of the whole House, on the state of the Commonwealth.

A petition of John Goff was presented to the House, and read; setting forth, that two horses belonging to him



were impressed for the Cherokee expedition in 1776, which he has never received, nor any satisfaction for the same, and praying that the sum to which they were appraised may be paid him.

Also a petition of John Payne, jun. setting forth, that a single chair and harness were impressed from him for the purpose of conveying John Goodrich from Bedford to Williamsburg, which have not been returned to him, nor any satisfaction made for the same.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of Arthur Dickenson was presented to the House, and read; setting forth, that he obtained the promise of several magistrates for the outlawry of a negro fellow belonging to him, but on the day on which it was to have been signed he was shot by a party of men, upon his endeavoring to make his escape; that the said slave, thereby, soon after died; that another negro fellow belonging to the petitioner was executed in consequence of a sentence of the county court of James City, which fixed a value upon him far beneath his worth, and praying such relief as may be thought just and reasonable.

A motion was made, and the question being put that the said petition be referred to a committee,

It passed in the negative.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration several petitions to them referred, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of John Wilson, of Capt. Forman's company of militia, ordered from Hampshire county to the defence of the frontiers, under the command of General Hand, who by a wound lost the use of his right arm, and is thereby rendered incapable of getting subsistence by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and that the same ought to be charged in the account of this Commonwealth against the United States of America. ✓

*Resolved*, that it is the opinion of this committee, That the petition of John Cullins, of Capt. Forman's company of militia, ordered from Hampshire county to the defence of the frontiers, under the command of General Hand, who had his right leg broke in an engagement with the enemy, and on his return home was taken with the smallpox, and incurred considerable expense for nursing and accommodations during his confinement, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and the farther sum of 6*l*. to reimburse his expenses, and that the same ought to be charged in the account of this Commonwealth against the United States of America. ✓

*Resolved*, that it is the opinion of this committee, That the petition of James Davenport, a soldier in the continental army, who in the battle at Brandywine received a wound in one of his ankles, which rendered him incapable of performing duty or laboring for support, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and a farther allowance of full pay as a soldier, during life, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of William Watkins, praying to be allowed in the settlement of his account with the treasury for a counterfeit eight dollar bill, which he received with other money for cards disposed of by him for the country, is reasonable; and that the petitioner ought to be allowed the sum of 2*l*. 8*s*. in discount with the treasury.

*Resolved*, that it is the opinion of this committee, That the petition of Grizzel Whitehead, whose horse was impressed for the use of the guards who attended John Goodrich on his removal from Bedford to Charlottesville, and lost, is reasonable; and that the petitioner ought to be allowed 30*l*. for the said horse, being the sum to which he was appraised.

*Resolved*, that it is the opinion of this committee, That the petition of Joseph Starke, surgeon's mate to the second minute battalion on the Cherokee expedition, praying to be allowed for a horse which he lost whilst in that service, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of James Powell Edmondson, who enlisted as a soldier in the 9th Virginia regiment, and was afterwards detached into the rifle corps commanded by Col. Morgan, and who in an engagement with the enemy, received a wound in one of his legs from a cannon ball, which occasioned it to be cut off, whereby he is rendered unfit for service, and unable to support himself, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and a farther allowance of full pay as a soldier, during life, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of George Doggett, ought to be referred to the consideration of the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of John Brown, of Col. Morgan's regiment of riflemen, who in the action at Saratoga, received a wound in his left arm, which rendered him unfit for service, and unable to procure a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of Jacob Early, praying to be allowed for his horse, which was taken into the service of the country on the Cherokee expedition, in the year 1776, and lost, is reasonable; and that the petitioner ought to be allowed 12*l*. 10*s*. for the said horse, it being the sum to which he was valued.

*Resolved*, that it is the opinion of this committee, That the petition of William Kennedy, praying an allowance for going express with letters from Colonels Andrew Lewis and William Preston, to the chiefs of the Cherokee nation, is reasonable; and that the petitioner ought to be allowed for the same, the sum of 15*l*.

*Ordered*, That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration the petition of George Lumsdon to them recommended, and had agreed upon a report and a resolution thereupon, as followeth :

The committee of Public Claims have had under their farther consideration, the petition of George Lumsdon to them recommended, and your committee find that the petitioner had a horse impressed by Waller Overton, deputy sheriff of Louisa county, to carry a runaway negro to the public jail, where he was received, and being advertised according to law, was afterwards delivered to a certain Thomas Stephens, who was authorised by Edmund Cox of Albemarle county (the owner of the said negro,) to receive him, in which service the said horse died, but it does not appear that his death was occasioned either by neglect or severe usage, and that he was appraised to 35*l*. Whereupon, your committee came to the following resolution :

*Resolved*, that it is the opinion of this committee, That the said petition is reasonable, and that the petitioner ought to be allowed the said sum of 35*l*. for his said horse.

*Ordered*, That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

An engrossed bill, "to amend 'an act entitled an act, for raising a supply of money for public exigencies,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act to amend an act entitled 'an act, for raising a supply of money for public exigencies.'"

*Ordered*, That Mr. Nicholas do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee on the bill, "to amend an act for providing against invasions and insurrections;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Prentis reported, that the committee had, according to order, had the said bill under their consideration, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Ordered*, That the said bill with the amendment be engrossed and read the third time.

A bill, "to increase the allowance to the members of the General Assembly," was read a second time.

The question being put, that the said bill be engrossed and read a third time,

It was resolved in the affirmative. Ayes 48—Noes 42.

Mr. Tazewell, from the committee appointed, presented, according to order, a bill, "establishing courts of Oyer and Terminer;" which was read the first time, and ordered to be read a second time.

*Resolved*, That this House will, on Friday next, proceed, by joint ballot with the Senate, to the appointment of a Governor or Chief Magistrate, of a member of the Council of State in the room of John Blair, Esq. who hath accepted the office of a Judge of the General Court, of a Judge of the General Court, in the room of Thomas Ludwell Lee, Esq., deceased, of seven delegates to represent the Commonwealth in Congress, of a commissioner of the navy, in the room of John Hutchings, Esq., who has resigned, of an auditor of public accounts, in the room of Jacob Bruce, Esq., deceased, and of two naval officers for the Eastern Shore, in the room of Isaac Smith and Isaac Avery, Esquires, who have resigned.

*Ordered*, That Mr. Jefferson do acquaint the Senate therewith.

A petition of John Ballentine, was presented to the House and read, setting forth, that he is willing to take upon himself the public blast furnace and foundery, and to pay such sums of money as may have been advanced and expended by the public, in erecting those works, with interest thereon, in such annual payments, and upon such terms, as may be thought proper, and praying that such a contract may take place.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances, that they examine into the matter thereof, and report the same, with their opinion thereupon, to the House.

The Speaker laid before the House, a letter from the Governor, enclosing another from Col. John Wilson, both which were read, and ordered to be referred to a committee of the whole House on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported that the committee had, according to order, had under their consideration the state of the Commonwealth, and made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee, to take into their farther consideration the state of the Commonwealth.

*Resolved*, That James Madison, jun. Esq. who at the last election for the county of Orange, was elected and returned one of the delegates to serve in General Assembly, being at the time of election a member of the Council of State, was incapable of being elected a member of this House;

*Ordered*, That the Speaker be desired to issue a writ for the election of a delegate for the county of Orange, in the room of the said James Madison, jun. Esq.

Mr. Dandridge, from the committee of Trade, reported, that the committee had according to order, had under



heir consideration the petition of Robert Tucker, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth :

*Resolved, that it is the opinion of this committee,* That the said petition is reasonable, and that the petitioner ought to be allowed the sum of 1,000*l.* in part for his mills and houses, which were destroyed, by order of Col. Woodford, in consequence of an order of Convention in the month of December, 1775.

*Resolved,* That the aforesaid mills and houses ought to be paid for by the public, when the value thereof can be clearly and fully ascertained.

*Resolved,* That commissioners ought to be appointed for that purpose, and also to inquire into the value of two store houses in the town of Norfolk, belonging to the petitioner, which were omitted in the schedule returned by the Norfolk commissioners, and report the value of the same, and by whom, and at what period, they were destroyed.

*Ordered,* That Mr. Dandridge do carry the two first resolutions to the Senate, and desire their concurrence.

*Ordered,* That the committee of Trade do prepare and bring in a bill pursuant to the third resolution.

Mr. Nicholas, from the committee appointed, presented, according to order, a bill, "to enforce the attendance of the members of the General Assembly;" which was read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee on the bill, "for giving farther time to non-jurors, and granting relief to certain offenders against the State;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Prentis reported, that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto, which they directed him to report when the House should think proper to receive them.

*Ordered,* That the said report be received to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, May 28, 1778.

Two other members, having taken the oath required by law, took their seats in the House.

Mr. Carter, from the committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration the second petition of John Ballendine to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth :

*Resolved, that it is the opinion of this committee,* That the petition of the said John Ballendine is reasonable.

*Resolved, that it is the opinion of this committee,* That commissioners be appointed to adjust the accounts respecting the cannon foundry, to ascertain what sums of money have been advanced by the public for the purpose of erecting the said foundry, and to convey the said works and appurtenances to the said Ballendine, taking proper security from him, previous to such conveyance, for the payment of all monies expended by the public upon the said foundry, with interest thereon from the time such monies were advanced.

*Resolved, that it is the opinion of this committee,* That the said commissioners be empowered to convey to Messrs. Ballendine and Reveley the blast furnace in the county of Buckingham, taking proper security, previous to such conveyance, from them for the repayment of all monies advanced by the public for the purpose of erecting the said furnace, with interest thereon from the time such monies were advanced.

The said resolutions being read a second time, were, upon the question severally put thereupon, disagreed to by the House.

A message from the Senate by Mr. Lee :

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act giving speedy remedy to the United States against defaulters;" also, to the bill, entitled "an act for establishing a clerkship of foreign correspondence;" also, to the bill, entitled "an act for farther suspending the payment of the salaries heretofore given to the clergy of the church of England;" also, to the bill, entitled "an act for continuing an act for giving certain powers to the Governor and Council;" also, to the bill, entitled "an act vesting powers in the Commissioners of the Navy for varying the rates of pilotage according to the exigencies of times;" also, to the bill, entitled "an act empowering the Judges of the High Court of Chancery to supply certain vacant offices, making a temporary provision for the clerk thereof, and establishing a method of appealing to that Court in particular cases;" and also, to the bill, entitled "an act to amend an act, entitled 'an act for forming several new counties, and re-forming the boundaries of two others;' without any amendment. They have also agreed to the bill, entitled "an act for giving a farther time to the purchasers of lots at the Warm Springs, in the county of Berkeley, to build thereon;" and to the bill, entitled "an act for raising a regiment of horse;" with amendments, to which they desire the concurrence of the Senate.

The House also agreed to proceed on Friday next, by joint ballot with your House, to the appointment of a Governor or Chief Magistrate, a member of the Council of State, of a judge of the General Court, of seven delegates to represent the Commonwealth in Congress, of a Commissioner of the Navy, of an Auditor of public accounts, and of two Naval Officers for the Eastern Shore.



They have also agreed to the resolution, declaring that it was not intended that Mr. Loycaute should have military command.

They have also agreed to the resolution, allowing William Criddle the sum of 8*l*. for his present relief, and the farther sum of 2*l*. per annum in addition to his former allowance. And then he withdrew.

The House took into consideration the amendments made by the Senate, to the bills, "for giving a farther time to the purchasers of lots at the Warm Springs, in the county of Berkeley, to build thereon," and "for raising a regiment of horse;" and the said amendments were read, and upon the question severally put thereupon, were agreed to by the House.

*Ordered*, That Mr. Carter do acquaint the Senate, that this House have agreed to the said amendments.

An engrossed bill, "to amend an act, entitled 'an act for providing against invasions and insurrections,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to amend an act, entitled 'an act for providing against invasions and insurrections.'"

*Ordered*, That Mr. Parker do carry the said bill to the Senate, and desire their concurrence.

A bill, "establishing courts of Oyer and Terminer," was read a second time, and ordered to be committed to Messrs. Tazewell, Jefferson, Smith, Lyne, and Parker.

A bill, "to enforce the attendance of the members of the General Assembly," was read a second time.

A motion was made, and the question being put, that the said bill be committed,

It passed in the negative.

Ayes 42

Noes 49

The question being put, that the said bill be engrossed and read a third time,

It passed in the negative.

An engrossed bill, "to increase the allowance to the members of the General Assembly," was read the third time, and the blanks therein filled up.

The question being put, that the said bill do pass,

It was resolved in the affirmative.

Ayes 50

Noes 37

*Resolved*, That the title be, "an act to increase the allowance to the members of the General Assembly."

*Ordered*, That Mr. Lyne do carry the said bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had under their consideration the state of the Commonwealth, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

Information being received that a certain Phillips, with divers others, his associates and confederates, have levied war against this Commonwealth within the counties of Norfolk and Princess Anne, committing murders, burning houses, wasting farms, and doing other acts of enormity, in defiance of the officers of justice,

*Resolved*, that it is the opinion of this committee, That if the said Phillips, his associates and confederates, do not render themselves to some officer, civil or military, within this Commonwealth, on or before the day of June in this present year, such of them as fail so to do ought to be attainted of high treason; and that in the meantime, and before such render, it shall be lawful for any person, with or without orders, to pursue and slay, or otherwise to take and deliver to justice the said Phillips, his associates and confederates.

*Resolved*, that it is the opinion of this committee, That the public salt works in this Commonwealth, or some of them, under proper direction, would prove highly advantageous to the State.

*Resolved*, that it is the opinion of this committee, That an experiment be made upon one of the public salt works, for the purpose of making salt by exhalation.

*Resolved*, that it is the opinion of this committee, That the most probable means of success in the several salt works in this Commonwealth, would be by appointing a manager over the whole, who shall be empowered to alter, improve, or put down, any he shall judge necessary; that he shall have liberty to employ as many salt pans for the use of the works, as he shall judge most for the advantage of the State; that he be furnished with what monies shall be necessary for the purposes aforesaid, not exceeding pounds, upon warrants from the Governor with the advice of the Council, and account for the expenditure thereof to the auditors, he, first and before he enter into office, giving bond and security for the faithful discharge of his duty, and to render account when required thereto; that he render, also, an account half yearly to the auditors, of what sums of money he has received for salt sold from the said works; that he have the power of removing the managers at each work on misbehaviour, and appointing others; that he shall make experiments by the operation of the sun on some one of the said salt works, which he may think best calculated for that purpose.

*Ordered*, That Messrs. Jefferson, Smith, and Tyler, do prepare and bring in a bill pursuant to the first resolution.

*Ordered*, That Messrs. Parker, Smith, Tyler, and Dandridge, do prepare and bring in a bill pursuant to the 2d, 3d, and 4th resolutions.

The House nominated several persons to be ballotted for as a Governor or Chief Magistrate, a member of the Council of State, a judge of the General Court, seven delegates to represent this Commonwealth in Congress, a commissioner of the Navy, an auditor of Public accounts, and two Naval officers for the Eastern Shore.

*Ordered*, That Mr Jefferson do carry a list of the persons so nominated to the Senate.

Mr. Carter, from the committee of Propositions and Grievances, to whom the first petition of John Ballendine was referred, reported, that the committee had, according to order, had the same under their consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read.

*Resolved*, that it is the opinion of this committee, That so much of the petition of the said John Ballendine as prays that he may be allowed the market price for the pig iron he had contracted to furnish the public, at 7*l*. 10*s*. per ton, be rejected.

*Resolved*, that it is the opinion of this committee, That the said John Ballendine is obliged by his contract to furnish the public, if they require it, with all the pig iron he can make at his furnace in the county of Buckingham, to be delivered at the foundry.

*Resolved*, that it is the opinion of this committee, That from the advanced price of labor, and the necessities of life, the said John Ballendine ought to be allowed a farther sum per ton for the pig iron he has engaged to deliver the public.

*Resolved*, That the said John Ballendine be at liberty to dispose of any pig iron he shall make, until he shall be required by the trustees to furnish such iron for the use of the public foundry.

*Resolved*, that it is the opinion of this committee, That such other parts of the said petition as pray that a forge and slitting mill may be erected by the public, adjacent to the foundry, or that proper encouragement may be given to the petitioner to erect those works upon his own account, be referred to the consideration of the next session of Assembly.

The 1*st*, 3*d*, 4*th*, and 5*th* resolutions, being read a second time, were on the question put thereupon, agreed to by the House.

The 2*d* resolution being read a second time, was, upon the question put thereupon, disagreed to by the House.

A message from the Senate by Mr. Bland :

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act for raising volunteers to join the grand army,” with an amendment, to which they desire your concurrence.

They have also agreed to the bill, entitled “an act for recruiting the continental army,” with amendments, to which they desire your concurrence. And then he withdrew.

Mr. Jefferson, from the committee appointed, presented, according to order a bill, “to attain Phillips, and others, unless they render themselves to justice within a certain time;” which was read the first time, and ordered to be read a second time.

Mr. Mayo, from the committee appointed, presented according to order, “a bill to amend an act, entitled ‘an act for regulating and disciplining the militia;’” which was read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill, “to repeal part of an act, entitled ‘an act limiting the time for continuing the delegates to General Congress in office, and making provision for their support, and for other purposes.’”

*Resolved*, That Josiah Parker, Esq. who at the last election for the county of Isle of Wight was elected and returned one of the delegates to serve in the General Assembly, being at the time of his election colonel of the 5*th* Virginia regiment, was incapable of being elected a member of this House.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill, “to appoint commissioners to ascertain the value of two storehouses belonging to Robert Tucker, situate in the town of Norfolk, which were burnt, and omitted in the late valuation,” that they receive a clause, or clauses, “for continuing an act for the more regular laying off the borough of Norfolk,” and an act “for appointing commissioners to inquire into and ascertain the losses sustained by the late inhabitants of the borough of Norfolk, and for other purposes.”

Thompson Mason, Esq. who at the last session of General Assembly was appointed to the office of a judge of the General Court, resigned the same.

*Resolved*, That this House will to-morrow proceed, by joint ballot with the Senate, to the appointment of a judge of the General Court in the room of the said Thompson Mason, Esq.

*Ordered*, That Mr. Meriwether do acquaint the Senate therewith.

The House nominated several persons to be ballotted for as a judge of the General Court in the room of the said Thompson Mason, Esq.

*Ordered*, That Mr. Jefferson do carry a list of the persons so nominated to the Senate.

*Ordered*, That Messrs. Terry and Watkins, have leave to be absent from the service of this House for the remainder of the session.

Mr. Avery, from the committee appointed, presented, according to order, a bill “to repeal part of an act entitled ‘an act limiting the time for continuing the delegates to General Congress in office, and making provision for their support, and for other purposes,’” which was read the first time.

The question being put that the said bill be read a second time,

It passed in the negative, Ayes 34,—Noes 45.

A petition of George Brett, was presented to the House and read; setting forth, that he agreed with the Navy

Board to build a galley of certain dimensions, at six pounds per ton; that those dimensions were afterwards increased by order of the Navy Board, whereby he was put to a much greater expense, and praying such allowance as may be thought just and reasonable.

*Ordered*, That the said petition be referred to the consideration of the committee of Trade; that they inquire into the allegations thereof, and report the same, with their opinion thereupon to the House.

The orders of the day for the House to resolve itself into a committee, on the bill, "providing a supply for public exigencies," and for receiving the report from the committee of the whole House, on the bill, "for giving farther time to non-jurors, and granting relief to certain offenders against the State," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, May 29, 1778.

*Ordered*, That a committee be appointed to examine the enrolled bills; and that Messrs. Prentis, Kello, Page, Tazewell, Parker, and Tyler, be of the said committee.

Two other members, having taken the oath required by law, took their seats in the House.

Whereas the present mode for balloting for officers by the General Assembly has been found inconvenient,

*Resolved*, That in all future ballots for officers by the General Assembly, where two or more officers are to be chosen to one department, the two Houses proceed by joint ballot to vote for all the officers at once which may be wanting to the same department, and that such of the candidates who shall have a majority of both Houses shall be declared duly elected, and that such candidates who shall not have a majority of both Houses, shall be again balloted for in like manner; and if, upon such first or second ballot, no one candidate shall have a majority of both Houses, then the two foremost upon the ballot shall be voted for in the like manner now used.

*Ordered*, That Mr. Mason do carry the said resolution to the Senate, and desire their concurrence.

Mr. Dandridge, from the committee of Trade, presented, according to order, a bill, "for appointing commissioners to ascertain the value of sundry houses, the property of Robert Tucker, and for other purposes;" which was read the first time, and ordered to be read a second time.

The House took into consideration the amendment made by the Senate, to the bill, entitled "an act, for raising volunteers to join the grand army;" and the said amendment was read, and on the question put thereupon, was agreed to.

*Ordered*, That Mr. Carter do acquaint the Senate that this House have agreed to the said amendment.

The House also took into their consideration the amendments made by the Senate, to the bill, entitled "an act, for recruiting the continental army, and other purposes therein mentioned;" and the said amendments were read, and on the question severally put thereupon, were agreed to.

*Ordered*, That Mr. Carter do acquaint the Senate that this House have agreed to the said amendments.

A bill, "to attain Philips, and others, unless they render themselves to justice within a certain time," was read a second time, and ordered to be engrossed and read a third time.

Mr. Prentis, from the committee of the whole House, reported amendments to the bill, "for giving farther time to non-jurors, and granting relief to certain offenders against the State," which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

Mr. Carter, from the committee appointed, reported, that the said committee had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

The committee to whom it was referred to examine the report of the commissioners appointed to inquire into, and ascertain the losses sustained by the late inhabitants of Norfolk, have accordingly examined so much of the said report as respects the property destroyed by order of Convention; and it appears to your committee, that the persons who were friends to the American cause, and the value of their property in the borough of Norfolk, destroyed by order of Convention, are as follow, viz:

George Abyvon,	£ 300	0	0
Thomas Newton & Co.	3,670	6	8
exclusive of John Eilbeck's proportion of the rope-walk.			
Lewis Hansford,	77	1	6
Taylor & Hansford,	960	0	0
Samuel Bacon,	352	10	0
Bartholomew Thompson,	319	0	0
Samuel Portlock,	286	12	6
Mary Ross,	162	10	0
Edward Parke,	700	0	0

Thompson & Parke,	40	0	0
Alexander Guthry,	278	10	0
Thomas Pool,	72	10	0
William Minitre,	203	0	0
Christopher Calvert,	426	5	0
Thomas Orton,	291	0	0
William Ivey,	318	2	6
Joice Edwards,	265	10	0
John Shore,	77	0	0
Maximilian Marley,	234	0	0
John Williams,	133	10	0
Charles Cooper,	638	0	0



Margaret Taylor,	200	10	0
Robert Tucker,	93	10	0
John Lee,	417	0	0
William Day,	68	0	0
John Selden's estate,	815	0	0
Wright Westcott,	988	0	0
James Holt,	1,832	10	0
James Cooper,	325	10	0
Wm. Hamble,	104	0	0
Robert Hatton,	246	0	0
William R. W. Curle,	80	0	0
Edward Moseley,	396	0	0
Thomas Newton,	335	0	0
John Phripp's estate,	395	0	0
John Griffin,	424	0	0
Seth Pointer,	565	1	8
John Smith,	1,268	16	0
James Taylor,	722	0	0
John Godfrey,	286	0	0
Dickinson Pryor,	546	0	0
Hardress Waller,	1,224	5	0
John James,	555	0	0
Paul Probey,	882	0	0
Richard Ingson,	647	0	0
Mary Williamson,	434	0	0
Loyall, Newton, & Co.	2,820	15	7 1-2
William Bevan,	238	0	0
William Corneck,	337	0	0
Joel Mahon,	408	0	0
Philip Carbery,	729	0	0
John Pool,	332	4	0
Anne Winterton,	172	0	0

John Johnson,	386	0	0
Arthur Denby,	557	0	0
Ralph Saunder's estate,	100	0	0
William Westerhouse,	32	0	0
Howard Pool,	1,625	5	0
William Porter,	181	0	0
Joshua Nicholson's estate,	281	10	0
Parish of Elizabeth River,	3,355	0	0
Elizabeth Hansford,	236	14	6
Stephen Wright's estate,	158	0	0
Joshua Wright,	213	0	0
Thomas Claiborne,	346	0	0
Richard Taylor,	1,033	7	0
Matthew Christian,	85	0	0
William Skinker,	150	0	0
Bashaw & Burgess,	85	0	0
Samuel Boush,	600	0	0
John Bowness,	240	0	0
Thomas Bishaw,	103	0	0
Richard Brown,	888	0	0
Joseph Calvert,	207	0	0
Josiah Deane,	350	0	0
John Barrett,	265	0	0
Richard Simms,	229	0	0
Walter M'Clurg,	1,083	0	0
Thomas Taylor's estate,	72	0	0
James Archdeacon's estate,	460	0	0
John Moody,	37	10	0
James Bushell,	114	0	0
John Ramsay,	185	0	0
Charles Thomas,	691	0	0

It also appears to your committee, that the persons who were unfriendly to the American cause, and the value of their property in the borough of Norfolk, destroyed by order of Convention, are as follow, viz:

James Leich,	£ 140	0	0	Wm. and Thomas Farrow,	200	0	0
James Guy,	252	0	0	John Greenwood,	350	0	0
Joseph Mitchell,	873	1	4	James Dawson,	894	0	0
Zachariah Hutchings,	60	0	0	Benjamin Night,	715	0	0
Andrew Martin,	422	0	0	Archibald Campbell,	155	0	0
Robert Waller,	1,252	11	0	Willoughby Morgan,	227	0	0

Whereupon your committee came to the following resolutions:

*Resolved, that it is the opinion of this committee.* That the several persons mentioned in this report as being friends to the American cause, ought to be paid by the public the several sums of money set against their names, being the value of their property in the town of Norfolk, which was destroyed by order of Convention.

*Resolved, that it is the opinion of this committee.* That the several persons mentioned in this report as disaffected to the American cause, ought not to receive any compensation from the public for their property in the town of Norfolk, which was destroyed by order of Convention.

Information being given that sundry houses, agreed to be paid for by the public according to the foregoing resolution, were under mortgage at the time they were destroyed, and that, if the value thereof be paid to the proprietors the creditors may lose the benefit of their security; it is therefore resolved, that the treasurer do not pay the money to be received by the respective claimants until the first day of September next; and that he make known this resolution by publishing the same three weeks successively in the Gazette, to the end that such persons as will be affected thereby may enter caveats against the payment thereof, in which case he may retain the money in his hands until the security shall be otherwise discharged.

*Ordered,* That Mr. Carter do carry the said resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to ballot for a judge of the General Court, in the room of Thompson Mason, Esq.

They have also added two other persons to be ballotted for as judges of the General Court, and one other person to be ballotted for as a delegate to Congress.

They have also agreed to the resolution of this day, regulating the mode of hallotting.

They also propose that as his excellency Patrick Henry, Esq. is the only person nominated to be ballotted for as

governor, and Thomas Parsons and Robins Kendal Matthews, Esquires, the only persons nominated to be ballotted for as naval officers for the Eastern Shore, they be appointed to the said offices respectively without ballot. And then he withdrew.

*Resolved, unanimously,* That his excellency Patrick Henry, Esq. be appointed Governor or Chief Magistrate of the Commonwealth for one year, to commence from the expiration of the time for which he was last appointed.

*Ordered,* That Mr. Jefferson do carry the said resolution to the Senate, and desire their concurrence. *Adj. 19.*

*Resolved,* That Thomas Parsons and Robins Kendal Matthews, Esquires, be appointed Naval Officers for the Eastern Shore.

*Ordered,* That Mr. Avery do carry the said resolution to the Senate, and desire their concurrence. *Adj. 19.*

A message from the Senate by Mr. Bland:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act to increase the allowance to the members of the General Assembly,” with an amendment, to which they desire the concurrence of your House.

They have also agreed to withdraw Warner Lewis, jun. Esq. from the nomination for a member of the Council of State, and to add Richard Lee, Esq. to the nomination for seven delegates to represent the Commonwealth in Congress.

They have also agreed to the resolution appointing his excellency Patrick Henry, Esq. Governor or Chief Magistrate of the Commonwealth for one year, to commence from the expiration of the time for which he was last appointed. And then he withdrew.

The House took into consideration the amendment made by the Senate, to the bill, entitled “an act to increase the allowance to the members of the General Assembly,” which being read was agreed to.

*Ordered,* That Mr. Lyne do acquaint the Senate that this House have agreed to the said amendment.

*Ordered,* That a committee be appointed to wait on his excellency Patrick Henry, Esq. and notify to him his appointment to the office of Governor or Chief Magistrate.

And a committee was appointed, of Messrs. Jefferson, Dandridge and Page.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act, to amend an act, entitled ‘an act for providing against invasions and insurrections,’ without amendments. And then he withdrew.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act, to amend an act, entitled ‘an act, for raising a supply of money for public exigencies,’ without amendments. And then he withdrew.

Mr. Tazewell, from the committee to whom was committed the bill, “establishing Courts of Oyer and Terminer,” reported, that the committee had, according to order, had the said bill under their consideration, had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and agreed to.

*Ordered,* That the said bill with the amendments be engrossed, and read a third time.

The House, according to the order of the day, resolved itself into a committee on the bill, “providing a supply for public exigencies;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Prentis reported, that the committee had, according to order, had the said bill under their consideration, had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and agreed to.

*Ordered,* That the said bill with the amendments be engrossed and read a third time,

A bill, “to amend an act, entitled an act, ‘for regulating and disciplining the militia,” was read a second time. The question being put that the said bill be engrossed and read a third time, It passed in the negative.

An engrossed bill, “for giving farther time to non-jurors, and granting relief to certain offenders against the State,” was read the third time, and the blanks therein filled up.

*Resolved,* That the bill do pass, and that the title be, “an act, for giving farther time to non-jurors, and granting relief to certain offenders against the State.”

*Ordered,* That Mr. Carter do carry the said bill to the Senate, and desire their concurrence.

The House proceeded by ballot to the appointment of a member of the Privy Council, or Council of State; and the members having prepared tickets for the person to be appointed, and put the same into the ballot glasses, Messrs. Lee, Cary, Nicholas and Tazewell, were nominated a committee to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and report to the House on whom the majority of votes should fall.

*Ordered,* That Mr. Lee do acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had met a committee from the Senate in the conference room, and had jointly with them examined the ballot glasses, and found the numbers for the several persons ballotted for to be as followeth:

For Joseph Prentis, Esq.

47

For Lewis Burwell, Esq.

13

Corbin Griffin, Esq.

36

Jaquelin Ambler, Esq.

6

And it appearing from the report of the committee, that neither of the persons therein mentioned hath a majority both Houses, the House proceeded to ballot between the said Joseph Prentis and Corbin Griffin, Esquires, when a majority of votes were found to fall on the said Joseph Prentis, Esq.

*Resolved, therefore,* That Joseph Prentis, Esq. be appointed a member of the Privy Council, or Council of State.



*Ordered*, That Mr. Tazewell do carry the resolution to the Senate, and desire their concurrence. *Dec. 22.*

The House proceeded in the same manner to the appointment of two judges of the General Court; and it appearing from the report of Messrs. Mason, Cary, Hite, Jefferson, Tazewell and Nicholas, the committee appointed to examine the ballot glasses, that the majority was in favor of Bartholomew Dandridge and John Tazewell, Esquires.

*Resolved*, That the said Bartholomew Dandridge and John Tazewell, Esquires, be appointed judges of the General Court.

*Ordered*, That Mr. Mason do carry the resolution to the Senate, and desire their concurrence. *Dec. 22.*

The House proceeded in the same manner to the appointment of seven delegates to represent this Commonwealth in Congress; and it appearing from the report of Messrs. Parker, Harrison, Page, Kello, Lyue, M'Clanahan, Campbell and Nathaniel Burwell, the committee appointed to examine the ballot glasses, that the majority was in favor of Thomas Adams, John Harvie, John Banister, Francis Lightfoot Lee, Meriwether Smith, Richard Henry Lee and Cyrus Griffin, Esquires.

*Resolved*, That the said Thomas Adams, John Harvey, John Banister, Francis Lightfoot Lee, Meriwether Smith, Richard Henry Lee, and Cyrus Griffin, Esquires, be appointed delegates to represent this Commonwealth in Congress for one year, from the 11th day of August next.

*Ordered*, That Mr. Parker do carry the resolution to the Senate, and desire their concurrence. *Dec. 22.*

The House proceeded in the same manner to the appointment of a commissioner of the navy; and it appearing from the report of Messrs. Cary, Nicholas, Meriwether, and Riddick, the committee appointed to examine the ballot glasses, that the majority was in favor of James Maxwell, Esq.

*Resolved*, That the said James Maxwell, Esq. be appointed a commissioner of the navy. *Dec. 22.*

*Ordered*, That Mr. Cary do carry the resolution to the Senate, and desire their concurrence.

The House proceeded in the same manner to the appointment of an auditor of public accounts; and it appearing from the report of Messrs. Carter, Dandridge, Kello, Jones, and Nicholas, the committee appointed to examine the ballot glasses, that the majority was in favor of Duncan Rose, Esq.

*Resolved*, That the said Duncan Rose, Esq. be appointed an auditor of public accounts.

*Ordered*, That Mr. Jones do carry the resolution to the Senate and desire their concurrence. *Dec. 22.*

A bill, "for appointing commissioners to ascertain the value of sundry houses, the property of Robert Tucker, and for other purposes," was read a second time, and ordered to be engrossed and read a third time.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read.

*Resolved*, that it is the opinion of this committee, That the petition of John Temple, who, whilst engaged in the service of his country, in Captain Cabell's company of infantry, contracted a severe illness, by which indisposition he lost the sight of one of his eyes, and still remains so infirm, as to be unable to support himself by his industry, is reasonable, and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of Joseph Miles, a soldier in Captain Richard Mead's company, who from the fatigues and hardships experienced in the campaign at Norfolk contracted a disorder which settled in his eyes and deprived him of sight, in which deplorable situation he still continues, is reasonable, and that the petitioner ought to be allowed 9*l.* 6*s.* 8*d.* per annum, in addition to the annual sum allowed him by the Assembly in June last, which will amount in the whole to full pay as a soldier.

*Resolved*, that it is the opinion of this committee, That the petition of John Haynes, praying to be allowed for his horse which was lost in the service of the country on the Cherokee expedition in the year 1776, is reasonable, and that the petitioner ought to be allowed 12*l.* 10*s.* being the sum to which the said horse was appraised.

*Resolved*, that it is the opinion of this committee, That the petition of Charles M'Kinny, praying to be allowed for his horse which was impressed for the use of Captain Pauling's company on their march to Kentucky, and lost, is reasonable, and that the petitioner ought to be allowed the appraised value of the said horse, being 11*l.* 6*s.*

*Resolved*, that it is the opinion of this committee, That the petition of Archer Wilson, a soldier in the 6th Virginia regiment, who, by a wound which he received in the battle at Germantown, lost the use of his left arm, and is thereby rendered incapable of getting subsistence by labor, is reasonable, and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of full pay as a soldier during life, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of Joseph Watkins, a soldier in the 6th Virginia regiment, who received a wound in his left hand, in the battle of Brandywine, which has rendered his arm almost useless, and himself by that means unable to get his living solely by labor, is reasonable, and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of half pay as a soldier during life, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of Thomas Berry, who, being informed that his son, who enlisted into the continental service, was ill at camp, unable to render service to his country, and wished to return home, despatched a messenger with a horse for that purpose, who on his arrival at head quarters found that



be paid some time dead, is reasonable, and that the petitioner ought to be allowed the sum of 22l. 10s. to reimburse the expense incurred on the said journey.

*Resolved*, that it is the opinion of this committee, That the petition of John Goff ought to be referred to the consideration of the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of Jeremiah Powell and Anne his wife, late widow and administratrix of Francis Wright, late of Norfolk county, deceased, praying to be allowed for a horse impressed by Colonel Bullitt for the use of the army, under the command of Colonel Woodford when on their march to the Great Bridge, and lost, is reasonable, and that there ought to be allowed and paid to the estate of the said deceased, the sum of 21l. being the appraised value of the said horse.

The 1st, 2d, 3d, 4th, 5th, 6th, 8th, and 9th resolutions, being read a second time, and the question put thereupon, they were agreed to by the House.

*Ordered*, That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.

The seventh resolution being read a second time, and the question put thereupon, it was disagreed to by the House.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration, the petition of George Caldwell to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

It appears to your committee, that the petitioner had a horse impressed on the late expedition against the Indians, which, not having been returned to him he was induced to petition the Assembly at their last meeting for an allowance, and the sum of 15l. was accordingly voted for the same, since which the petitioner having heard of the said horse went in pursuit of him, and by paying the charges attending the taking him up, he was delivered. That soon after the petitioner had possession of the horse, John Talbot, Esq. offered him the money which had been allowed, but the horse having been recovered, the petitioner declined accepting the same, and requested that the money might be returned to the treasury; that the petitioner was at great trouble and expense in recovering the said horse:

Whereupon your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the said petition be rejected.

Mr. Smith, from the committee of Trade, to whom the petition of George Brett was referred, reported, that the committee had, according to order, had the same under their consideration, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the said petition is reasonable; and that the Commissioners of the Navy do make him such farther allowance, as to them shall seem just.

*Ordered*, That Mr. Smith do carry the said resolution to the Senate, and desire their concurrence.

The order of the day for the House to resolve itself into a committee on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, May 30, 1778.

Another member having taken the oath required by law, took his seat in the House.

An engrossed bill, "establishing courts of Oyer and Terminer," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act to enable the Judges of the General Court to hold two additional sessions."

*Ordered*, That Mr. Tazewell do carry the bill to the Senate, and desire their concurrence.

Mr. Prentiss, reported from the committee appointed to examine the enrolled bills, that the committee had examined the same, and rectified such mistakes as were found therein, and that they are now truly enrolled.

*Ordered*, That Mr. Prentiss do carry the said bills to the Senate, for their inspection.

An engrossed bill, "providing a supply for the public exigencies," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act providing a supply for the public exigencies."

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to attain Philips, and others, unless they render themselves to justice within a certain time," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be "an act to attain Josiah Philips, and others, unless they render themselves to justice within a certain time."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for appointing commissioners to ascertain the value of sundry houses the property of Robert Tucker, and for other purposes," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for appointing commissioners to ascertain the value of sundry houses the property of Robert Tucker, and for other purposes."

*Ordered*, That Mr. Dandridge do carry the bill to the Senate, and desire their concurrence.

*Resolved*, That the commissioners of the Navy be allowed 10s. in addition to their present allowance for each day's attendance at or travelling to or from the Navy Board. This additional allowance to continue until the next session of Assembly.

Mr. Lee from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration the petition of William Underhill to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the said petition is reasonable; and that the said William Underhill ought to be allowed the amount of his account, being 221l. 3s.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Bland:

MR. SPEAKER,—The Senate have agreed to the bill entitled "an act for raising a battalion of infantry, for garrison duty," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolution of this House approving of the measures taken by the Governor and Council for procuring a loan in France of 2,000,000 of livres, to discharge our debts there, without any amendment.

They have also agreed to the resolution of this House, for appointing Thomas Parsons, and Robins Kendall Matthews, Esquires, Naval Officers for the Eastern Shore district, without any amendment.

They have also agreed to the resolution of this House, for allowing Captain Thomas Johnson, the sum of 15l. 5s. 6d. with an amendment, to which they desire the concurrence of this House. And then he withdrew.

Whereas, it appears highly necessary to put the extensive coasts of this Commonwealth in as good a posture of defence as circumstances will admit of, and it is of the last consequence to the commerce, which it is expedient should be cultivated with our allies and sister States, that proper harbors should be strongly fortified, to effect these desirable purposes,

*Resolved*, That the Governor, with the advice of the Council, be empowered from time to time to appoint such engineers as they may judge necessary, giving them such rank and pay as they may think their abilities and merit deserve; provided, that the number of engineers exceed not four, nor their rank and pay that of a colonel.

*Ordered*, That Mr. Mason do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That the committee appointed to bring in a bill pursuant to the resolutions of Thursday last, for the regulation of the salt works, be discharged therefrom.

That the several salt works in this State may be carried on to advantage, and with some probability of success,

*Resolved*, That the Governor, with the advice of the Council, be empowered to appoint a manager of the said works to direct the whole, who shall have authority to put down all such, as in his judgment shall not be likely to produce any benefit to the Commonwealth; and to alter and improve such of the others he shall think proper; that he procure so many salt pans as he shall judge necessary; that he be directed to make trial of one of the salt works best calculated for it, to see if salt cannot be made by the operation of the sun alone; and that he be supplied out of the public treasury with what monies shall be thought necessary by the Governor and Council, for carrying on the said works, to be drawn by warrant from the Governor on the treasury, the said warrant being first entered in the auditors books, the said manager to give bond and security for the faithful performance of his office; and for his services he shall be allowed by the Governor, with the advice of Council, a salary not exceeding 500l. per annum.

*Ordered*, That Mr. Parker do carry the said resolution to the Senate, and desire their concurrence.

Whereas, it is represented, that certain cargoes of goods, containing many articles necessary for the army, and others, which are not necessary for them, are offered for sale to the Governor and Council, who doubt whether a purchase of the whole, including such unnecessary articles, may be approved,

*Resolved*, That they be empowered and advised to purchase the same, or any other cargoes of a like nature, if to be done on terms which they think reasonable; that such parts thereof as shall be necessary for the use of the troops raised by this Commonwealth, be disposed of for their use, as by law heretofore directed, and such others as are unnecessary and improper for them, be sold in such parts of the country, and on such terms, as the Governor and Council may think most for the general good, not giving a preference to any person in the sale thereof.

*Ordered*, That Mr. Jefferson do carry the resolution to the Senate, and desire their concurrence.

The House took into consideration the amendments made by the Senate to the bill, entitled "an act for raising a battalion of infantry for garrison duty," and the said amendments being read were agreed to.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

*Ordered*, That the amendment made by the Senate to the resolution of this House for allowing the sum of 15l. 5s. 6d. to Captain Thomas Johnson, do lie on the table.

*Resolved*, That Ralph Wormeley, jun. be discharged from the confinement to which he was ordered by a resolution of the convention in May, 1776, and that his bond which he then gave, be cancelled.

*Ordered*, That Mr. Page do carry the resolution to the Senate, and desire their concurrence.

Mr. Jefferson, from the committee appointed to wait on his Excellency Patrick Henry, Esq., and notify his appointment to the office of Governor or Chief Magistrate of the Commonwealth, reported, that the committee had accordingly notified the same, and received the following answer, viz:

GENTLEMEN,—The General Assembly, in again electing me Governor of this Commonwealth, have done me very signal honor. I trust that their confidence, thus continued in me, will not be misplaced.

I beg you will be pleased, gentlemen, to present me to the General Assembly in terms of grateful acknowledgment for this fresh instance of their favor towards me; and to assure them, that my best endeavors shall be used to promote the public good, in that station to which they have once more been pleased to call me.

Mr. Carter, from the committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and come to two resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the county of Culpeper, praying that the Robinson Fork, in the said county, may be joined to the upper end of Orange county, above the mouth of Blue Run, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the county of Orange, praying that the said county may be divided, be rejected.

The House being informed that Mr. Isaac Avery, who at the last election for the county of Northampton was certified to be duly chosen a delegate for the same, is a minister of the church of England,

*Resolved*, That this House will make an inquiry therein at the next session of Assembly.

*Ordered*, That the memorial of Richard Henderson and Company, together with the several petitions and other papers relating to the subject matter thereof, which by an order of the last Assembly, made on the 24th day of November, 1777, were to be heard on the third Monday in June next, do come on to be heard on the second Monday in the next session of Assembly.

A message from the Senate by Mr. Adams:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act providing a supply for the public exigencies,” without any amendment.

They have also agreed to the bill, entitled “an act to enable the judges of the General Court to hold two additional sessions,” with several amendments, to which they desire the concurrence of this House.

*Resolved*, That the following allowances be made to the officers of the General Assembly, to wit:

To the Reverend James Madison, Chaplain,	-	-	-	£ 30	0	0
To Mr. Edmund Randolph, clerk of the House of Delegates,	-	-	-	150	0	0
To Mr. John Beckley, clerk of the Senate,	-	-	-	60	0	0
To Mr. Edmund Pendleton, jun. clerk of the committee of Privileges and Elections and Propositions and Grievances,	-	-	-	60	0	0
To Mr. Hinde Russell, clerk of the committee of Public Claims,	-	-	-	75	0	0
To Mr. William Drew, clerk of the committee for Courts of Justice,	-	-	-	40	0	0
To Mr. William Russell, clerk of the committee for Religion,	-	-	-	30	0	0
To Mr. Freeman Eppes, serjeant at arms to the House of Delegates,	-	-	-	45	0	0
To Mr. Bartlet Williams, serjeant at arms to the Senate,	-	-	-	45	0	0
To Robert Hyland, John Creagh, William Hicks, and William Drinkard, doorkeepers to the House of Delegates, each	-	-	-	25	0	0
To Thomas Paul, and William Rose, jun. doorkeepers to the Senate, each	-	-	-	25	0	0
To Robert Hyland, for cleaning the capitol, and extraordinary services,	-	-	-	20	0	0

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That the treasurer procure a quantity of parchment for the enrolments of the General Assembly.

*Ordered*, That all petitions and other matters now depending before this House, and undetermined, be referred to the next session of Assembly.

Messrs. Harrison, Thompson Mason, Abraham Hite, Riddick, Southall, and Nourse, having offered satisfactory reasons for their non-attendance in this House on Tuesday the 12th of this instant, May,

*Ordered*, That they be excused.

The House took into consideration the amendments made by the Senate to the bill, entitled “an act to enable the judges of the General Court to hold two additional sessions;” which were read, and agreed to with an amendment to the amendments.

*Ordered*, That Mr. Tazewell do acquaint the Senate therewith, and desire their concurrence to the amendment of this House.

A message from the Senate by Mr. Bland:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act giving farther time to non-jurors, and granting relief to certain offenders against the State,” with several amendments, to which they desire the concurrence of this House.

They have also agreed to the amendment made by this House to their amendments to the bill, entitled “an act to enable the judges of the General Court to hold two additional sessions.”



They have also agreed to the bill, entitled "an act for appointing commissioners to ascertain the value of sundry houses the property of Robert Tucker, and for other purposes," with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House took into consideration the amendment made by the Senate to the bill, entitled "an act for appointing commissioners to ascertain the value of sundry houses the property of Robert Tucker, and for other purposes;" which was read, and agreed to by the House.

*Ordered*, That Mr. Dandridge do acquaint the Senate therewith.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to the resolution of this House respecting the discharge of Ralph Wormeley, jun. from his present confinement, and cancelling his bond, without any amendment.

They have also agreed to the resolution of this House for empowering the Governor, with the advice of the Council, to appoint a manager of the salt works, and for other purposes, without any amendment.

They have also agreed to the resolution of this House for empowering the Governor, with the advice of the Council, to appoint engineers, with a certain rank and pay, without any amendment.

The House, took into consideration the amendments made by the Senate, to the bill entitled "an act, for giving further time to non-jurors, and granting relief to certain offenders against the State;" which were read, and disagreed to by the House.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

*Resolved*, That Messrs. Dixon and Hunter, printers for the Senate, be allowed the sum of 173*l.* being the amount of their account.

*Ordered*, That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate do insist upon their amendments to the bill, entitled "an act for giving farther time to non-jurors, and granting relief to certain offenders against the State," to which this House have disagreed, and desire this House to recede from their disagreement to the said amendments.

Mr. Lee from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration the memorial of Thomas Madison to them referred, had agreed on a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered it in at the clerk's table, where the same was again twice read, and agreed to, as followeth:

The committee of Public Claims have had under their consideration the memorial of Thomas Madison, in behalf of himself, John Carmack, Jonathan Drake, John Looney, Ezekiel Smith, and others, to them referred, and it appears to your committee that the memorialist, Thomas Madison, was appointed commissary to the troops ordered on the Cherokee expedition in the year 1776; that when the troops marched from the Great Island he wrote to the Governor and Council for instructions in what manner the stocks of cattle and horses, that might remain on hand on the return of the troops, should be disposed of; that the matter was laid before the Assembly, who passed a resolve desiring the Governor and Council to take such measures respecting the preservation or disposition of such horses and provisions as might remain on hand of the country's property, at the end of the campaign against the Cherokees, as to them should appear to be most proper and conducive to the interest of the country; that in compliance with that resolution, they recommended to the memorialist, Thomas Madison, to lay the matter before Colonel Chirstain and the other field officers, and take their advice and opinions therein, who, after a consultation held, directed the memorialist to employ proper persons to herd, in a good range, the cattle and horses on hand, which he accordingly did, and contracted with sundry persons, who undertook the business at the prices mentioned in their respective accounts hereto annexed, to which your committee beg leave to refer the House, viz:

*The Commonwealth to JOHN CARMACK,*

*Dr.*

To herding and taking care of the country cattle from the 13th day of November, 1776, to the 11th of June, 1777, 212 days, at 6 <i>s.</i> per day,	-	-	£63 12 0
To William Carmack, do. from the 13th of November to the 29th of February, 109 days, at 3 <i>s.</i> per day,	-	-	16 7 0
To John Delaney, do. 148 days, at 3 <i>s.</i> ,	-	-	22 4 0
To Stephen Richards, for do. 209 days, at 3 <i>s.</i> ,	-	-	31 7 0
To Matthew Dean, for do. 194 days, at 3 <i>s.</i> ,	-	-	29 2 0
To John Fulkerson, for do. 21 days, at 3 <i>s.</i> ,	-	-	3 3 0
To Cornelius Carmack, for do. 25 days at 3 <i>s.</i> ,	-	-	3 15 0
To Andrew Greer, for do. 32 days, at 3 <i>s.</i> ,	-	-	4 16 0
To Joseph Greer, for do. 32 days, at 3 <i>s.</i> , to 3 bells at 3 <i>s.</i> 8 <i>d.</i> ,	-	-	5 7 0
To John Nash, herding cattle 60 days, at 3 <i>s.</i> , to 3 bell collars 5 <i>s.</i> ,	-	-	9 5 0
To finding 2 horses,	-	-	0 10 0

*Cr.*

£189 8 0

By Cash paid by Thomas Madison to Andrew and Joseph Greer, as per receipt June 11th, 1777, - | - | 9 12 0 |

June 7, 1777.

*The Commonwealth to JONATHAN DRAKE,**Dr.*

To taking care of, and hunting for, the country horses from the 26th of October to the 7th of June, 225 days, at 5s. per day,	-	-	56	5	0
To Isaac Drake, from the 26th of October to the 15th of March, 141 days, at 3s.,	-	-	21	3	0
To Benjamin Drake, the same,	-	-	21	3	0
To Isaac Drake and Benjamin Drake, 15 days more each, at 3s.,	-	-	4	10	0
To Henry Hickey, for do. from the 29th of January, to the 17th of June, 129 days, at 4s.,	-	-	25	16	0
To John Drake, for do. from the 26th of October, to the 15th of March, 141 days, at 3s.,	-	-	21	3	0
To the hire of a horse,	-	-	2	18	0
<i>Cr.</i>					£152 18 0
By 6 beef hides, at 8s,	-	-	£2	8	0
By cash paid Isaac Drake,	-	-	2	5	0

Balance £148 5 0

December, 1776.

*The Commonwealth to JOHN LOONEY,**Dr.*

For his services as bullock master, 120 days, at 6s. per day,	-	-	36	0	0
To Samuel Looney, a drover, 30 days, at 4s.,	-	-	6	0	0
To Peter Looney, do. 67 days, at 4s.,	-	-	13	8	0
To Peter Looney, jun. do. 33 days, at 4s.,	-	-	6	12	0
To Peter Looney, do. 50 days, at 4s.,	-	-	10	0	0
To William M'Broon, do. 120 days, at 4s.,	-	-	24	0	0
To John Cox, do. 66 days, at 4s.,	-	-	13	4	0
			£109	4	0

December, 1777.

*The Commonwealth to EZEKIEL SMITH,**Dr.*

For his services in taking care of the country horses, after the return of the army, 78 days, at 5s. per day,	-	-	19	10	0
To Henry Hickey, 78 days, at 4s.,	-	-	15	12	0
To Isaac Drake, 78 do. at 3s.,	-	-	11	14	0
To 1 negro, 30 days, at 2s.,	-	-	3	0	0
To Hugh Blair, 30 do. at 3s.,	-	-	4	10	0
To Benjamin Drake, 78 days, at 3s.	-	-	11	14	0
			£66	0	0

Whereupon your committee have come to the following resolution:

*Resolved, that it is the opinion of this committee, That the said memorial is reasonable, and that the several claimants ought to be allowed their respective claims as specified in the said accounts.*

A message from the Senate by Mr. Lee.

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for allowing Hugh Wallace, the sum of 30*l.* and full pay as a serjeant during life; also William Dickinson, the sum of 30*l.*, and full pay as a soldier during life; also, Benjamin Fry the sum of 30*l.*, and full pay as a serjeant during life; also, Philip Timberlake the sum of 10*l.*; also, Thomas Badgett the sum of 4*l.* 15*s.*; also, John Hambleton the sum of 30*l.*; also, John Wilson the sum of 30*l.*; also, John Cullens the sum of 36*l.*; also, James Davenport the sum of 30*l.*, and full pay as a soldier during life; also, William Watkins the sum of 2*l.* 8*s.*; also, Grizzle Whitehead the sum of 30*l.*; also, James Powell Edmondson the sum of 30*l.*, and full pay as a soldier during life; also, John Brown the sum of 30*l.*; also, Jacob Early the sum of 12*l.* 10*s.*; also, William Kennedy the sum of 15*l.*; also, John Temple the sum of 30*l.*; also, Joseph Miles the sum of 9*l.* 6*s.* 8*d.* per annum during life; also, John Haynes the sum of 12*l.* 10*s.*; also, Charles McKinnay the sum of 11*l.* 6*s.*; also Archer Wilson the sum of 30*l.*, and full pay as a soldier during life; also, Joseph Watkins the sum of 30*l.*, and half pay as a soldier during life; also, Jeremiah Powell the sum of 21*l.*, without any amendment.

The Senate have also agreed to the resolution of this House, declaring that John Ballendine ought to be allowed an advanced price per ton for the pig iron he has engaged to deliver the public, and that he be at liberty to dispose of any pig iron he shall make, until he shall be required by the trustees to furnish such iron for the use of the public, without any amendment.

They have also agreed to the resolutions of this House, for allowing Robert Tucker the sum of 1000*l.* in part

of his mills and houses which were destroyed by order of Col. Woodford, and for paying for the full value thereof when it shall be ascertained, without any amendment.

They have also agreed to the resolution of this House, authorising the commissioners of the navy to make such farther allowance to George Brett, as they shall think just and reasonable, without any amendment.

They have also agreed to the resolutions of this House, for the appointment of Joseph Prentiss, Esq. a member of the Privy Council, of Bartholomew Dandridge and John Tazewell, Esquires, judges of the General Court, of Thomas Adams, John Harvie, John Banister, Francis Lightfoot Lee, Meriwether Smith, Richard Henry Lee and Cyrus Griffin, Esquires, delegates to represent the Commonwealth in Congress for one year from the 11th day of August next, of James Maxwell, Esq. a commissioner of the Navy, and of Duncan Rose, Esq. an auditor of public accounts, without any amendment.

They have also agreed to the resolution of this House, for increasing the pay of the commissioners of the Navy, without any amendment.

They have also agreed to the resolution of this House, for paying certain sums of money to several inhabitants of the late town of Norfolk, without any amendment.

They have also agreed to the resolution of this House, for the discharge of Ralph Wormley, jun. from his present confinement, and cancelling his bond, without any amendment.

They have also agreed to the resolution of this House, for making an additional allowance to the clerks of the Council and Navy Board, without any amendment.

They have also agreed to the resolution of this House, for allowing William Underhill the sum of 221l. 3s. without any amendment.

They have also agreed to the resolution of this House, empowering the Governor, with the advice of the Council, to appoint engineers, without any amendment.

They have also agreed to the resolution of this House, for authorising the Governor, with the advice of the Council, to purchase cargoes, without any amendment.

They have also agreed to the resolution of this House, for empowering the Governor, with the advice of the Council, to appoint a manager of the salt works, and for other purposes, without any amendment. And then he withdrew.

Mr. Lee, from the committee of Public Claims, presented a schedule of sundry money claims, together with the resolution thereupon; which were read, and agreed to, as followeth, viz:

To the estate of Samuel Newell, deceased, for a black horse, appraised to 12l., to one do. black do., appraised to 16l.	-	-	-	£ 28 0 0
To John Gordon, for one dark bay horse impressed into the service of the country, and by means of severe usage died, appraised to	-	-	-	40 0 0
To Thomas Hammond, for a mare taken for the use of the militia on their march to Greenbrier, and lost,	-	-	-	6 0 0
To Arthur Dickinson, for his negro man slave James, who was condemned and executed for a rape, and by the court of the county of James City valued at	-	-	-	150 0 0
To Adam Young, for a dark bay mare 10l., 46 days hire of a horse, at 1s. 3d. per day, 2l. 17s. 6d.	-	-	-	12 17 6
To Jonathan Dawson, for a horse, bell and pack saddle,	-	-	-	5 15 0
To William Russell, sen. for a bay horse 12l., 95 days hire of a horse at 1s. 3d. per day, 5l. 18s. 9d.	-	-	-	17 18 9
To John Cox, for a grey horse, 18l., 5 bells, 30s., 1 roan horse 14l.	-	-	-	33 10 0
To Valentine Little, for a white horse,	-	-	-	12 0 0
To William Lane, for a bay mare,	-	-	-	6 16 6
To Henry Dougherty, for a white horse 8l. 10s., 1 chesnut sorrel, do., bell, pack saddle and halter, 11l. 17s. 6d., 1 bell, 2 halters and 2 pack saddles, 9s. 6d.,	-	-	-	20 17 0

*Resolved, that it is the opinion of this committee,* That the said claims are reasonable, and that the respective claimants ought to be allowed by the public for the same.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act, to attain Josiah Philips, and others, unless they send themselves to justice within a certain time,” without any amendment. And then he withdrew.

*Ordered,* That the persons to whom the accounts of Col. William Aylett were referred by the last session of Assembly be discharged from proceeding thereon, and that they be referred to the auditors of public accounts.

A petition of Roger Thomson, William Henry, Jesse Burton and John Cobbs, was presented to the House, and read; setting forth, that a prosecution was ordered by the last Assembly against them for bribery and extortion; that they were not heard on the occasion in their own defence; that they have no person of sufficient ability to resort to for costs in case of an acquittal; and praying that the matter may be either reheard before this House, or that a person may be named as prosecutor, who may be answerable for costs.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,—It passed in the negative.

And then the House adjourned till Monday morning, 10 o'clock.



MONDAY, June 1, 1778.

Another member, having taken the oath required by law, took his seat in the House.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for paying the account of Messrs. Dixon and Hunter, printers to the Senate, amounting in the whole to 173*l*., without any amendment.

They have also agreed to the resolution of this House, for making several allowances to the officers of the General Assembly, with an amendment, to which they desire the concurrence of this House.

They have also agreed to the resolution of this House, for allowing certain sums of money to Ezekiel Smith and others, whose claims are contained in the memorial of Thomas Madison, without any amendment. And then he withdrew.

The House took into consideration the amendment made by the Senate to the resolution for making several allowances to the officers of the General Assembly; which being read, and it being observed that the said resolution is in nature of a money bill, which the Senate hath no power to amend or alter,

*Resolved*, That this House doth disagree to the said amendment.

*Ordered*, That Mr. Jefferson do acquaint the Senate therewith.

The House then proceeded to take into their consideration the amendments insisted on by the Senate, to the bill, entitled "an act, for giving further time to non-jurors, and granting relief to certain offenders against the State;" which were read, and the disagreement of this House thereto was adhered to.

*Ordered*, That Mr. Nicholas do acquaint the Senate therewith.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration the claim of John Gibbs to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of your committee, That the claim of the said John Gibbs is reasonable, and that he be allowed the sum of 225*l*. for his negro man slave Charles, who was condemned and executed for felony.

*Ordered*, That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

*Ordered*, That the Speaker be desired to issue a writ for the election of two delegates for the county of Greenbrier, no election having been held for the same in the month of April last, for want of a sheriff.

*Resolved*, That Mr. John Beckley, clerk of the Senate, be allowed the sum of 15*l*. in addition to the sum of 60*l*. allowed him this session of Assembly.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have inspected the enrolled bills, and are satisfied that they are truly enrolled; and their Speaker has signed them. And then he withdrew.

*Resolved*, That when this House shall adjourn it shall be to the first Monday in October next.

*Ordered*, That Mr. Jefferson do acquaint the Senate therewith.

*Resolved*, That Miles Selden, jun. be allowed at the rate of 150*l*. per annum for his services in keeping the public records at the town of Richmond.

*Ordered*, That Mr. Cary do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have received a message that the House of Delegates disagree to an amendment made by the Senate to the resolution for fixing the allowance of several officers of the General Assembly. The Senate cannot with propriety, adhere to, or recede from, their amendment, till the resolution be returned. And then he withdrew.

Mr. Carter from the committee of Privileges and Elections, reported, that they had, according to order, had the petition of Beverley Randolph under their consideration, and come to two resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the said memorial is reasonable.

*Resolved*, that it is the opinion of this committee, That the commissioners of the taxes levied by an act of Assembly, entitled "an act for raising a supply of money for public exigencies," are not capable of sitting or voting in this House.

*Ordered*, That the consideration of the said resolutions be postponed until the next session of Assembly.

*Resolved*, That the Senate be informed, that as sundry resolutions, to which the Senate had agreed, were stated and attested on the same paper on which was the resolution proposed to be amended by the Senate, which resolutions, so agreed to, are, according to the usages of the General Assembly, to be deposited with the records in possession of the clerk of the House of Delegates, the House of Delegates now send them a transcript of the said resolution, so proposed to be amended.

*Ordered*, That Mr. Jefferson do acquaint the Senate therewith.

A message from the Senate by Mr. Walker:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for paying John Gibbs the sum of 225*l*. for his negro man slave Charles, who was condemned and executed for felony. And then he withdrew.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate, ever willing to maintain harmony with the other branch of the legislature, are

desirous of a full and free conference with the House of Delegates on the subject of the refusal of this House to return the resolution for making allowances to the several officers of the General Assembly, to which the Senate have made an amendment, which has been disagreed to by this House. And then he withdrew.

The House accordingly took the said message into consideration.

*Resolved*, That this House do agree to the conference desired by the Senate, and that Messrs. Jefferson, Meriwether Smith, Page, Nicholas, Parker and Mason, be the managers of the said conference on the part of this House.

*Ordered*, That a message be sent to the Senate, informing them that this House have agreed to the full and free conference desired by the Senate, and that Mr. Jefferson do carry the said message.

The managers then withdrew.

Mr. Jefferson reported, that the managers appointed by this House, had met those of the Senate in the conference-room, and freely discussed the subject matter of the conference; after which the managers from the Senate retired, promising to report what had passed to the Senate, and that the result of their farther deliberation thereupon, should be communicated by message to this House.

*Ordered*, That the resolution for making allowances to the officers of the General Assembly, to which the Senate made an amendment, be returned to the Senate.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have receded from their amendment to the resolution for making allowances to the officers of the General Assembly.

They have also agreed to the resolution of this House, for paying to John Beckley, clerk of the Senate, the sum of 15*l*. in addition to the sum of 60*l*. allowed him by this present session of Assembly. And then he withdrew.

The Speaker of this House then signed the public and private bills following, to wit:

"An act for raising volunteers to join the grand army."

"An act for raising a regiment of horse."

"An act for raising a battalion of infantry for garrison duty, and for other purposes."

"An act for recruiting the continental army, and other purposes therein mentioned."

"An act providing a supply for the public exigencies."

"An act to amend an act 'for providing against invasions and insurrections.'"

"An act empowering the judges of the High Court of Chancery to supply certain vacant offices, making a temporary provision for the clerk thereof, and establishing a method of appealing to that court in particular cases."

"An act for giving a farther time to the purchasers of lots in the town of Bath to build thereon."

"An act to enable the judges of the General Court to hold two additional sessions."

"An act for continuing an act 'for giving certain powers to the Governor and Council.'"

"An act giving speedy remedy to the United States against defaulters."

"An act to attain Josiah Philips, and others, unless they render themselves to justice within a certain time."

"An act to amend an act entitled 'an act for forming several new counties, and re-forming the boundaries of two others.'"

"An act for appointing commissioners to ascertain the value of sundry houses, the property of Robert Tucker, and for other purposes."

"An act to increase the allowance to the members of the General Assembly."

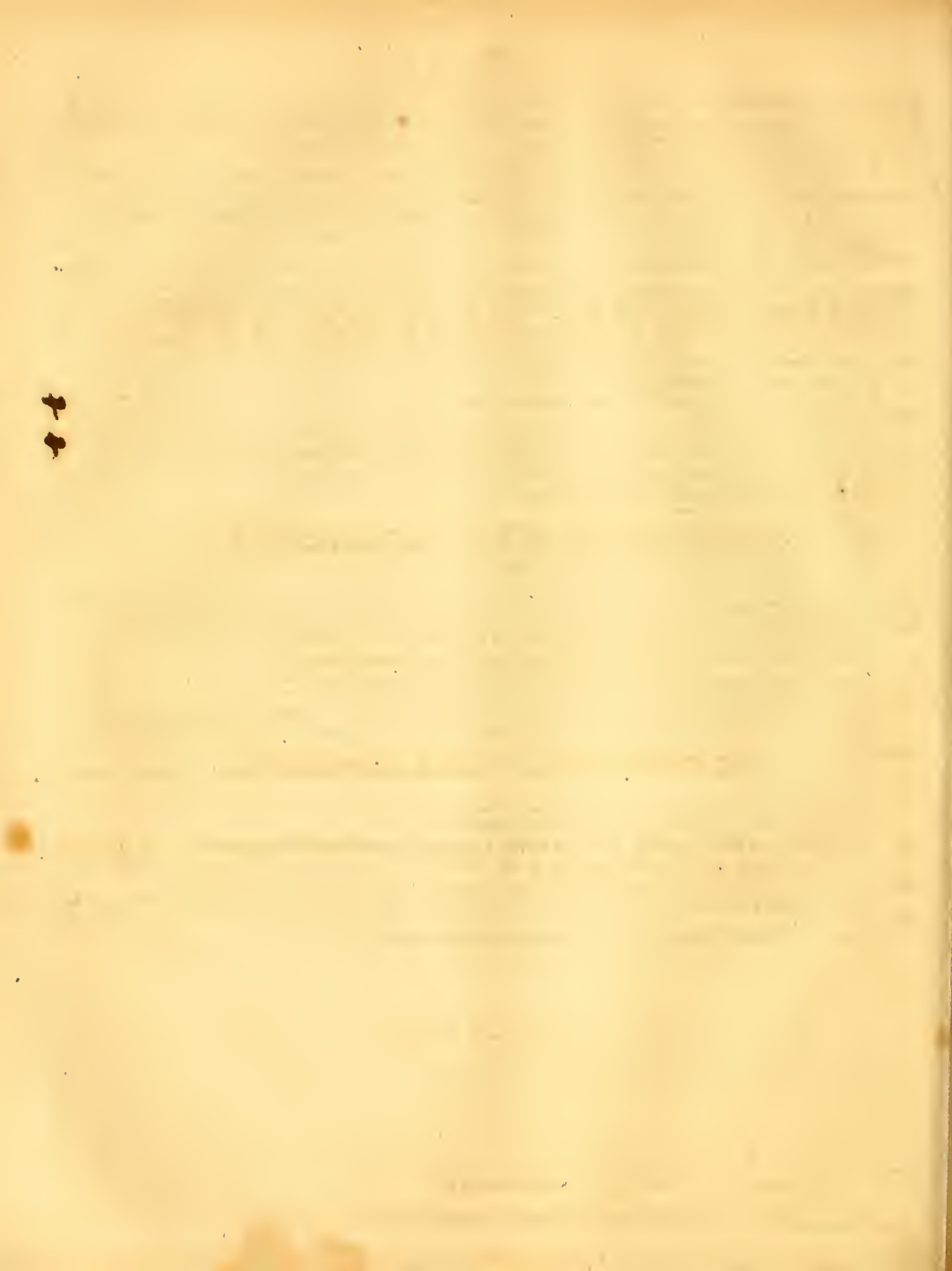
"An act establishing a clerkship of foreign correspondence."

"An act to amend an act, entitled 'an act for raising a supply of money for public exigencies.'"

"An act for farther suspending the payment of the salaries heretofore given to the clergy of the church of England."

"An act vesting powers in the Commissioners of the Navy for varying the rates of pilotage according to the exigencies of times."

And then the House adjourned till the first Monday in October next.





# JOURNAL

OF THE

## HOUSE OF DELEGATES

OF THE

COMMONWEALTH OF VIRGINIA;

BEGUN AND HELD AT THE CAPITOL,

**IN THE CITY OF WILLIAMSBURG.**

*ON MONDAY, THE FIFTH DAY OF OCTOBER, IN THE YEAR OF OUR LORD  
ONE THOUSAND SEVEN HUNDRED AND SEVENTY-EIGHT.*

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RICHMOND:

PRINTED BY THOMAS W. WHITE, OPPOSITE THE BELL-TAVERN.

.....  
1827.

# THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET, ESQ. OF THE MIDDLE TEMPLE, ESQ.

**JOURNAL**  
OF THE  
**HOUSE OF DELEGATES.**

---

**GENERAL ASSEMBLY.**

*BEGUN and holden at the Capitol, in the City of Williamsburg, on Monday, the 5th day of October,  
in the year of our Lord one thousand seven hundred and seventy-eight.*

---

MONDAY, October 5, 1778.

The House met according to their adjournment; and two other members, returned upon new writs, having taken the oath appointed by law, took their seats in the House.

But the number not being sufficient to proceed to business,

The House adjourned till to-morrow morning, 10 o'clock.

---

TUESDAY, October 6, 1778.

The House met according to their adjournment, and one other member, returned upon a new writ, having taken the oath appointed by law, took his seat in the House.

But the number not being sufficient to proceed to business,

The House adjourned till to-morrow, 12 o'clock.

---

WEDNESDAY, October 7, 1778.

The House met according to their adjournment, and sixty-four members, besides the Speaker, appearing,

*Ordered*, That the House be called over immediately.

The House being accordingly called over, the names of the members who failed to appear, were noted; and the names of those who made default, being again called over, some were excused on account of sickness, employments in the service of the public elsewhere, and other justifiable avocations.

*Ordered*, That the members, who are absent, except those for the counties of Botetourt, Kentucky, Montgomery and Washington, and for whom no excuses, or insufficient excuses have been made, be sent for.

*Ordered*, That the serjeant at arms, attending this House, take into his custody, Thomas Jefferson, member for the county of Albermarle; Gabriel Penn and Joseph Cabell, members for the county of Amherst; James Buford, member for the county of Bedford; James Nourse, member for the county of Berkeley; Thomas Anderson, member for the county of Buckingham; John Tyler, member for the county of Charles City; John Clayton, member for the county of Charlotte; George Mason and John Parke Custis, members for the county of Fairfax; Isaac Zane, mem-



ber for the county of Frederick; Thomas Underwood, member for the county of Goochland; Micajah Watkins, member for the county of Halifax; John Syme, member for the county of Hanover; Jesse Heard, member for the county of Henry; John Scasbrook Wills, member for the county of Isle of Wight; William Dandridge Claiborne, member for the county of King William; John Selden, member for the county of Lancaster; Thompson Mason and Josias Clapham, members for the county of Loudoun; James Dabney, member for the county of Louisa; Henry Deloney, member for the county of Mecklenburg; Philip Grymes and Beverley Daniel, members for the county of Middlesex; James Murdaugh, member for the county of Nansemond; Matthew Godfrey, member for the county of Norfolk; Isaac Avery and John Bowdoin, members for the county of Northampton; Kenner Cralle and John Hull, members for the county of Northumberland; John Wilson, member for the county of Pittsylvania; John Nash and Robert Lawson, members for the county of Prince Edward; Jesse Ewell and Burr Harrison, members for the county of Prince William; William Smith, member for the county of Richmond; Archibald Hopkins and Thomas Hewit, members for the county of Rockingham; Abraham Bird and John Tipton, members for the county of Shenandoah; William Brent, member for the county of Stafford; and Cole Digges, member for the county of Warwick,

And then the House adjourned till to-morrow, 12 o'clock.

---

#### THURSDAY, October 8, 1778.

Another member, having taken the oath required by law, took his seat in the House.

The House being informed, that Mr. Kenner Cralle, one of the members for the county of Northumberland, Mr. William Dandridge Claiborne, one of the members for the county of King William, and Mr. Cole Digges, one of the members for the county of Warwick, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse their absence, when the House was called over yesterday,

*Ordered*, That the said Kenner Cralle, William Dandridge Claiborne, and Cole Digges, be discharged out of custody, without paying fees.

The House being informed, that Mr. Henry Deloney, one of the members for the county of Mecklenburg, Mr. Thomas Underwood, one of the members for the county of Goochland, and Mr. John Scasbrook Wills, one of the members for the county of Isle of Wight, attended in custody of the serjeant at arms,

*Ordered*, That the said Henry Deloney, Thomas Underwood, and John Scasbrook Wills, be discharged out of custody, paying fees.

*Ordered*, That Mr. Freeman Eppes be appointed serjeant at arms to this House.

*Ordered*, That James Madison, clerk, be appointed chaplain to this House, and that he attend to read prayers at nine o'clock every morning.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

*Ordered*, That Mr. Edmund Randolph be appointed clerk to this House.

*Ordered*, That Mr. Robert Hyland, William Hicks, John Creagh, and William Drinkard, be appointed door keepers to this House, and that they give their attendance accordingly.

*Ordered*, That a committee for Religion be appointed.

And a committee was appointed, of Messrs. G. Carrington, N. Burwell, Page, Underwood, Cralle, Cary, L. Burwell, Chilton, Gee, Pride, and Putney; and they are to meet and adjourn from day to day, and to take under their consideration all matters and things relating to religion and morality, and all such as shall be from time to time referred to them, and report their proceedings, with their opinion thereupon, to the House; and the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee of Privileges and Elections be appointed.

And a committee was appointed, of Messrs. Carter, G. Carrington, Page, Lomax, Terry, Washington, Elliott, Cogbill, Cary, Harrison of Brandon, Lee, Parker, Winslow, Morton, Norvell, Roe, L. Burwell, Tazewell, and Gen. Nelson; and they are to meet and adjourn from day to day, and examine in the first place all returns of writs for electing delegates to serve in this present General Assembly, and compare the same with the form prescribed by law; and to take into their consideration all such matters as shall or may come in question touching returns, elections, and privileges; and to report their proceedings, with their opinion thereupon, from time to time, to the House; and the said committee are to have power to send for persons, papers, and records for their information.

*Resolved*, That in all cases of controverted elections to be heard at the bar of this House, or before the committee of Privileges and Elections, the petitioners do, by themselves or their agents, within a convenient time, to be appointed by the House, or the committee of Privileges and Elections, as the matter to be heard shall be before the House or the committee, deliver to the sitting members, or their agents, lists of the persons intended to be objected to who voted for the sitting members, giving in the said lists the several heads of objection, and distinguishing the same against the names of the voters objected to; and that the sitting members do, by themselves or their agents, within the same time, deliver the like lists on their parts, to the petitioners or their agents.

*Ordered*, That a committee of Propositions and Grievances be appointed.

And a committee was appointed, of Messrs. Gen. Nelson, Page, Payne, S. Goode, Kello, Strother, W. Watkins, Edmondson, Nicholas, Mumford, Harrison of Brandon, Cary, Carter, Brown, N. Burwell, Moore, F. Goode, J. Car-

ington, King, Pickett, Lyne, Cunningham, Allen, Tabb, Tazewell, Upshaw, Fleming, and Kennon; and they are to meet and adjourn from day to day, and to take into their consideration all propositions and grievances that shall come legally certified to this Assembly, and to report their proceedings, with their opinion thereupon, from time to time, to the House; and all such propositions and grievances are to be delivered to the clerk of the House, and by him to the said committee of course; and the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee of Public Claims be appointed.

And a committee was appointed, of Messrs. Lee, Terry, Field, J. Carrington, Payne, Washington, Allen, Glenn, Wills, Talbot, Munford, G. Carrington, Morton, W. Watkins, Pickett, Norvell, Elliott, Johnston, Shelton, Hardy, Underwood, Cannon, and Jones; and they are to meet and adjourn from day to day, and to take into their consideration all public claims referred from the last to this session of Assembly, and also all such claims as shall be regularly certified and presented to this session; and to report their proceedings, with their opinion thereupon, to the House, when they have gone through the said claims; and all persons that have any claims, are to deliver them to the said committee of course; and they are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee for Courts of Justice be appointed.

And a committee was appointed, of Messrs. Fleming, Kello, Nicholas, Field, Lyne, Pride, Parker, Westwood, Cogbill, Johnston, Shelton, Deloney, Robinson, Hardy, and Thoroughgood. And they are to meet and adjourn from day to day, and to take into their consideration all matters relating to Courts of Justice, and such other matters as shall from time to time be referred to them, and report their proceedings, with their opinion thereupon to the House. And the said committee are to inspect the Journals of the last session, and draw up a state of the matters then depending and undetermined, and the progress that was made therein, and report the same to the House, and also to examine what laws have expired since the last session, and inspect such temporary laws as will expire with the end of this session, or are near expiring, and report the same to the House, with their opinions which of them are fit to be revived and continued; and the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee of Trade be appointed.

And a committee was appointed, of Messrs. Kello, Page, Edmondson, King, J. Nelson, Harwood, Jones, Westwood, Moore, Pickett, Digges, Deloney, and Payne. And they are to meet and adjourn from day to day, and to take into their consideration all things relating to the trade of this Commonwealth, and all matters that shall be from time to time to them referred, and to report their proceedings, with their opinions thereupon, to the House; and the said committee are to have power to send for persons, papers, and records, for their information.

*Resolved*, That eleven of the committee of Propositions and Grievances, seven of the committee of Privileges and Elections, and five of any other committee, be a sufficient number to make a committee.

*Ordered*, That Mr. William Russell be appointed clerk of the committee for Religion; Mr. Edmund Pendleton, jun. clerk to the committee of Privileges and Elections and Propositions and Grievances; Mr. Hind Russell, clerk to the committee of Public Claims; and Mr. William Drew, clerk to the committee for Courts of Justice and Trade.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, on the state of the Commonwealth.

The Speaker laid before the House a letter from the Governor, stating several matters for the consideration of the General Assembly, and referring to a letter and certain resolutions of Congress inclosed therein.

And the said letters and resolutions were read and referred to the committee of the whole House on the state of the Commonwealth.

*Ordered*, That the Speaker be desired to issue new writs for the election of delegates to serve in this present General Assembly, for the county of New Kent, in the room of Bartholomew Dandridge, Esq. who hath accepted of the office of a Judge of the General Court; for the county of Essex, in the room of Meriwether Smith, Esq. who hath accepted of the office of a delegate to Congress; for the county of Lancaster, in room of Cyrus Griffin, Esq. who hath also accepted of the office of a delegate to Congress; and for the county of Gloucester, in the room of Mann Page, Esq. deceased.

And then the House adjourned till to-morrow morning, 10 o'clock.

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## FRIDAY, October 9, 1778.

The House being informed that Mr. John Tyler, one of the members for the county of Charles City, and Mr. Matthew Godfrey, one of the members for the county of Norfolk, attended in custody of the serjeant at arms,

*Ordered*, That the said John Tyler and Matthew Godfrey be discharged out of custody, paying fees.

The House being informed that Mr. Thomas Anderson, one of the members for the county of Buckingham, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence when the House was called over on Wednesday last,

*Ordered*, That the said Thomas Anderson be discharged out of custody, without paying fees.



Two other members, having taken the oath required by law, took their seats in the House.

The order of the day for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read;

*Ordered*, That the same be put off till Monday next.

*Ordered*, That Mr. Riddick be added to the committee of Privileges and Elections; Messrs. Riddick, Meriwether, and Anderson, to the committee of Propositions and Grievances; Messrs. Meriwether and Peebles, to the committee of Religion and Public Claims; and General Nelson to the committee of Trade.

*Resolved*, That the Governor, with advice of the Council, be desired to use such methods to procure salt for the inhabitants of this Commonwealth, as he shall think proper.

*Ordered*, That Gen. Nelson do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That a committee be appointed to examine into the state of the public salt works, and make report thereof to the House, together with an account of such quantities of salt, as may have been raised therefrom.

And a committee was appointed, of Messrs. Carter, Lee, Gen. Nelson, Parker, Payne, Strother, and King.

*Resolved*, That a committee be appointed to inquire into the state of provisions, which have been purchased within this Commonwealth, for public use; that they be directed to request the Governor to lay before them such papers as he may have relative thereto, and that they be authorised to send for persons, papers, and records for their information.

And a committee was appointed, of Messrs. Carter, Page, Gen. Nelson, Payne, Southall, George Carrington, Harrison of Brandon, Robinson, and Terry, any five of whom, may proceed to business.

Gen. Nelson, presented to the House, a letter directed to him from Alexander Purdie; setting forth, many difficulties which he labors under as public printer, which he requested might be made known to the General Assembly;

And the same being read,

*Ordered*, That the said letter be referred to Messrs. Gen. Nelson, Page, Parker, N. Burwell, Lyne, and Meriwether, and that they examine into the matter thereof, and the conduct of the said Purdie as public printer, and report the same, with their opinion thereupon, to the House.

A petition of Abraham Shepherd, was presented to the House, and read; setting forth, that he hath a tract of land, situate on the south side of Potomac river, opposite to the place where Thomas Swearingen keeps a ferry; that the boats from thence discharge their passengers on the petitioner's said land, where a ferry would be very convenient to the inhabitants of Mecklenburg town, in the county of Berkeley, and others passing over to Maryland, who are now much embarrassed by reason of the said Swearingen keeping his boats on the Maryland side, and praying that a ferry may be established on the said land of the petitioner.

Also, a petition of the freeholders and inhabitants of the town of Manchester; setting forth, that the trustees of the said town, have no right to bring suits against such persons, as fail to comply with their contracts, or who may commit any trespass on the streets, or lands, appropriated for the use of the town, and praying that the power of the said trustees may be enlarged.

Also, a petition of sundry freeholders of the county of Buckingham; setting forth, that they are informed, that a petition is now depending before the General Assembly, praying that an addition may be made of a part of Buckingham county to Cumberland; that such a division, as it will greatly diminish the number of tithables in their county, will injure it essentially as it has not more than 2,000 tithables at present, and labors under heavy county expenses and will also remove the courthouse far from the centre, and praying, that the proposed addition may not take place.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

An address of sundry inhabitants of the county of Westmoreland and parish of Cople, was presented to the House and read; setting forth, some undue means taken to overthrow the established church, expressing their opinion that an established church in any State, under proper limitations and restrictions, and founded upon the warranty of Holy Scripture, is one of the great bulwarks of liberty, the cement of society, the bond of union, and an asylum for the persecuted to fly to, and praying that this business may be taken into consideration, when nothing of more importance calls for the attention of the House.

*Ordered*. That the said address be referred to the committee of Religion, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Christopher Harwood, was presented to the House and read; setting forth, that having engaged to serve as a volunteer in Gen. Nelson's corps of horse, and being on his way in July last, to join them, he lost a mare, of the value of 100*l* by the excessive heat, and praying to be reimbursed for the same, in pursuance of an act of Assembly.

Also, a petition of James Berry; setting forth, that being a soldier on the late Indian expedition, he received, in a skirmish with the enemy, a ball through his body, which has wholly disabled him, and praying relief and support.

Also, a petition of Thomas Brown; setting forth, that being a soldier in the 9th Virginia regiment at the battle of Germantown, where he was taken by the enemy, he was frost-bitten in the month of February last in both his feet, during his confinement in one of the British jails; that this accident has incapacitated him from getting a livelihood, and praying such relief as may be thought meet.

Also, a petition of William Campbell, jun.; setting forth, that he was employed as a guard, to assist in the removal of John Goodrich from the jail of Botetourt to that of Bedford; that on the way, his horse received a wound by the shaft of a chair, of which he is since dead; and praying that an allowance may be made him for the same.



*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, October 10, 1778.

The House being informed, that Mr. Burr Harrison, one of the members for the county of Prince William, and Mr. James Nourse, one of the members for the county of Berkeley, attended in custody of the serjeant at arms,

*Ordered*, That the said Burr Harrison and James Nourse be discharged out of custody, paying fees.

The House being informed, that Mr. Abraham Bird, one of the members for the county of Shenandoah, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence, when the House was called over on Wednesday last,

*Ordered*, That the said Abraham Bird be discharged out of custody, without paying fees.

Two other members having taken the oath required by law, took their seats in the House.

*Ordered*, That Mr. Riddick have leave to be absent from the service of this House, till Monday se'nnight, and Mr. Lyne till Wednesday next.

Mr. Flewing, from the committee for Courts of Justice, to whom it was referred to examine what laws have expired since the last session, and inspect such temporary laws as will expire with the end of this session, or are near expiring, reported, that the committee had come to a resolution, which they had directed him to report to the House; and he read it in his place, and afterwards delivered it in at the clerk's table, where the same was again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the act of Assembly, entitled "an act for reviving several public warehouses for the reception of tobacco, and other purposes," which was continued and amended by one other act, entitled "an act to amend an act, entitled 'an act for reviving several public warehouses for the reception of tobacco, and other purposes,'" which expired the first day of October in this present year, ought not to be revived.

*Ordered*, That leave be given to bring in a bill, "for reviving several public warehouses for the inspection of tobacco;" and that the committee for Courts of Justice do prepare and bring in the same.

*Ordered*, That Messrs. Cary, Meriwether, G. Carrington, Southall, Payne, Pride, and Tyler, be added to the committee for Courts of Justice; and Messrs. Smith, Putney, Nourse, Porter, Tyler, and Chilson, to the committee of Propositions and Grievances.

*Ordered*, That the committee for Courts of Justice be discharged from reporting from the Journals of the last session the several petitions and propositions then depending and undetermined; and that all such petitions and propositions be delivered of course to the proper committees.

*Resolved*, That the Speaker be desired to request the Governor to stop the sale of those articles in the public stores, which, though not absolutely necessary, may be comfortable to the army, until the sense of the General Assembly be known.

A petition of sundry inhabitants of the county of Brunswick, was presented to the House, and read; setting forth, that the courts of their county failed to appoint any of their members to make a tour through the same and tender the oath or affirmation of allegiance, as prescribed by a late act of Assembly; that some of them being informed, that no injury could accrue to them, until such tender and their refusal thereupon, and others, who from age and infirmity were in a great measure confined at home, having not heard at all, or scarcely heard of any such oath or affirmation, they suffered the first day of May last to pass without taking the same; whereby they became subject to double taxes; and praying that relief may be granted them in the premises.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Buford, was presented to the House, and read; setting forth, that having enlisted into the service of this country in the year 1776, in Capt. Scruggs's company, he carried with him a gun, belonging to himself, which, on his march from Williamsburg to Portsmouth, was in the night-time stolen from him, while in camp, and has never since been recovered; and praying that the value of the said gun may be paid him.

Also, a petition of Joseph Sandidge; setting forth, that although he was master of a profitable trade, and by no means urged by necessity, he enlisted into the service in the year 1776; that in the battle of Brandywine he received a wound in his left arm, which broke and shattered the bone in such a manner that it is rendered useless to him, and by which means he is become unable to labor for a livelihood; and praying such relief, as may be thought reasonable.

Also, a petition of Charles Allen; setting forth, that being a soldier in the 9th Virginia regiment, and the term of his enlistment being expired, he obtained his discharge on the ninth day of February last, and on his return home, was taken sick at the house of one Turner Patterson; that his disorder was occasioned by the excessive fatigues which he had gone through in the preceding campaign, and continued on him four weeks and some days; that the said Patterson's tender care of him saved his life, and the provisions which he expended on the petitioner, were more than his slender circumstances would permit him to spare from his poor and numerous family; that the petitioner would have made compensation to the said Patterson out of his own pocket, had not the enhanced price of every

article exhausted all his pay; and praying that he may be enabled to satisfy the said Patterson for his expense and trouble.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the inhabitants of the county of Shenandoah was presented to the House, and read; setting forth, that the vestry of the parish, in the said county, do not attend their duty as the laws direct; and praying a dissolution thereof.

*Ordered*, That the said petition be referred to the committee of Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And then House adjourned till Monday morning, 10 o'clock.

### MONDAY, October 12, 1778.

The House being informed, that Mr. James Murdaugh, one of the members for the county of Nansemond, attended in custody of the serjeant at arms,

*Ordered*, That the said James Murdaugh be discharged out of custody, paying fees.

The House being informed, that Mr. William Smith, one of the members for the county of Richmond, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence when the House was called over on Wednesday last,

*Ordered*, That the said William Smith be discharged out of custody, without paying fees.

*Resolved*, That the hearing of the memorial of Richard Henderson and Company, together with the several petitions and other papers relating to the subject matter thereof, which by an order of the last session of Assembly, made on the 30th day of May last, were this day to be heard, be postponed until this day fortnight.

*Ordered*, That the committee of Propositions and Grievances be discharged from proceeding on the petitions from the counties of Orange and Culpeper, for regulating clerks' and surveyors' fees.

The order of the day, for the House to resolve itself into a committee of the whole house on the state of the Commonwealth, being read,

*Ordered*, That that the same be put off till Friday next.

A petition of Josiah Barnes was presented to the House, and read; setting forth, that being a soldier in the 4th Virginia regiment, he returned to Virginia about Christmas last, and has ever since been afflicted with a serve illness occasioned by the hardships of the winter campaign in 1776, whereby he is rendered incapable of providing for himself or family, and praying such relief as may be thought reasonable.

Also a petition of Abner Newman; setting forth, that he was sent by order of the commanding officer of the 8th Virginia regiment from Fredericksburg into North Carolina, in pursuit of James and Thomas Newman, soldiers in the said regiment, who had been left sick; that when he had got to the place where they were left, he found that they were dead; that he expended the sum of twelve pounds five shillings in travelling, which has not been repaid him, and praying satisfaction for the same.

Also a petition of Spencer Thaddens Bramham; setting forth, that his son Spencer Bramham, a soldier in the service of this State, came to his house sick, on the 19th day of October, 1776, and there continued so from that time until the first day of March following; that the petitioner is too poor to expend so much as he did in the cure of his said son, who was thereby rendered fit for duty, without some satisfaction being made to him; and praying a reasonable allowance for the same.

Also a petition of Joseph Thomas; setting forth, that he was at the expense of taking care of two of his sons, who were soldiers, from the middle of September, 1776, to the month of December following, in their sickness during that time, that he has received no satisfaction for the same; and praying that an allowance may be made him.

Also a petition of Daniel Thornton; setting forth, that his son Jesse Thornton, a soldier in the continental service, had a furlough on account of his ill state of health, that during his indisposition which lasted from the 3d day of September, 1776, till the 10th day of December following, he remained at the petitioner's house, and occasioned great expese to him; and praying a reasonable satisfaction.

Also a petition of William Jones; setting forth, that while acting as a volunteer in the service of the United States, in the battle of Brandywine, he received a wound in his left knee, which has rendered him incapable of gaining his livelihood; and praying such relief as may be thought reasonable.

Also a petition of James Buckles, William Buckles and Jacob Lewis; setting forth, that on the 25th of April, 1778, there were draughted in the county of Berkeley, one hundred and thirty five men, for an expedition against the Indians; that the said James Buckles, was appointed captain; the said William Buckles, lieutenant; and the said Jacob Lewis, ensign of one of the three companies which were constituted out of the aforesaid one hundred and thirty five men; that the said James Buckles and Jacob Lewis served in their respective offices four months, and the said William Buckles in his for three months and an half; but have been refused pay according to their rank, because only one hundred of the draughted men marched, which number was sufficient but for two companies according to the



directions of the late act of Assembly, whereby the petitioners were obliged to receive serjeants' pay or nothing : and praying a farther compensation.

Also a petition of William Baskerville ; setting forth, that having been appointed on the 25th day of November, 1776, a lieutenant in the continental service, he was turned over into that of this Commonwealth, and did according to his instructions begin to recruit ; but as men were at that time very tardy in enlisting, his quota was not complete till the 2d day of September, 1777, for which time, trouble, and the expenses that accrued, he has not been allowed a single day's pay ; and praying that some satisfaction may be made him for the same.

*Ordered*, That the said petitions be referred to the committee of Public Claims ; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Nourse presented to the House, a petition from Jacob Moon and Benjamin Thornbury to his excellency the Governor, which the Governor had recommended to the delegates for the county of Berkeley, to lay before the General Assembly ; setting forth, that on the 16th day of September last, a judgment passed against them in the county court of Berkeley, on an information for not giving in upon oath or affirmation, an account of such of their property as was liable to a pound rate ; that they conceived that as they had given a faithful detail of every thing subject to the tax, an oath or affirmation was unnecessary ; and praying as the penalty was incurred through mistake, that the same may be remitted to them.

Also a petition of sundry freeholders and residents in and about the town of Mecklenburg and county of Berkeley ; setting forth, that they sustain great injury by hogs running at large ; and praying that some remedy may be afforded them therein.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances ; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, October 13, 1778.

The House being informed that Messrs. Gabriel Penn and Joseph Cabell, members for the county of Amherst, and Mr. James Dabney, one of the members for the county of Louisa, attended in custody of the serjeant at arms ; and it appearing that there was good cause to excuse their absence when the House was called over on Wednesday last ;

*Ordered*, That the said Gabriel Penn, Joseph Cabell and James Dabney be discharged out of custody, without paying fees.

The House being informed that Mr. Nathaniel Henderson, one of the members for the county of Kentucky, attended in custody of the serjeant at arms,

*Ordered*, That the said Nathaniel Henderson be discharged out of custody, paying fees.

A petition of sundry vestrymen and others, inhabitants of the parish of Nottoway, in the county of Southampton, was presented to the House, and read ; setting forth, that two-thirds of the members of the present vestry, were not elected by the people ; that for several years past, no vestry has been held, and no levy laid, owing to the negligence of the vestry, and praying a dissolution of the same.

*Ordered*, That the said petition be referred to the committee of Religion ; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the keeper of the public store, be desired to deliver to each of the door-keepers of this House, cloth and necessary trimmings for a suit of clothes, and a great coat ; and that the treasurer pay for making the same, out of the public money in his hands.

*Ordered*, That Mr. Fleming do carry the said resolution to the Senate, and desire their concurrence.

Another member having taken the oath required by law, took his seat in the House.

*Ordered*, That leave be given to bring in a bill, "to expel from this Commonwealth, and to prevent in future the return of persons who have shewn themselves inimical to the liberties of America ;" and that Messrs. Gen. Nelson, Fleming, Kello, Tyler, Parker, Strother and Nicholas, do prepare and bring in the same.

A petition of sundry freeholders and inhabitants of the county of Bedford, living on the north side of Staunton river, was presented to the House, and read ; setting forth, that they have been informed, that a petition will be presented to the Assembly at their present session, from the inhabitants of the said county, living on the south side of the said river, for a new county to be formed out of all that part of Bedford which lies on the south side of the said river and a part of Henry county, and praying that such a county may take place.

Also, several petitions of sundry freeholders of the county of Bedford, living on the north and south side of Staunton river, to the same purpose.

Also, a petition of sundry inhabitants of the southwest end of Botetourt county ; setting forth, that many of them cannot attend general musters, elections, and other necessary business at the courthouse, without travelling thirty, nor some of them, without travelling sixty-five miles ; that this inconvenience may be remedied by adding a part of their county to Bedford and Henry, and praying that such addition may take place.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances ; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.



*Ordered*, That the treasurer do lay his accounts before the House.

A memorial of Major Ralph Falkner, and others, officers in the continental service, was presented to the House, and read; setting forth, that in the beginning of July last, they received orders from General Washington to repair to Virginia, for the purpose of superintending the recruiting service; that they were at great expenses in travelling, too great for the pay of their respective ranks; that General Washington gave them reason to believe, that such expenses would be repaid them by the Commonwealth, and praying that satisfaction may be made them for the same.

*Ordered*, That the said petition be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion to the House.

*Resolved*, That that a committee be appointed, to inquire into the steps that have been taken towards supplying the army with necessaries, as directed by the last session of Assembly;

And a committee was appointed, of Messrs. Nicholas, Cary, Tazewell, Gen. Nelson, Hite, Southall, G. Carrington, Pickett, Nourse, Elliott, Parker and Peachey.

*Ordered*, That Messrs. Cabell, Penn, Campbell, Peachey, J. Nelson, and Mayo, be added to the committee of Propositions and Grievances; Messrs. Cabell, Penn, Cogbill, Trigg, Bledsoe, Gee, Saunders, Murdaugh, Dabney and Peachey, to the committee of Public Claims; Mr. Penn, to the committee of Courts of Justice; and Messrs. Kello, Lomax, Edmondson, and Harrison of Brandon, to the committee appointed to examine the state of the public salt works.

Gen. Nelson reported, from the committee of Propositions and Grievances, to whom several petitions were referred, that the committee had examined into the same, and had come to several resolutions thereupon, which they had directed him to report to the House; and he read them in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Leonard Crutcher, praying to be reimbursed the sum of sixty pounds out of the estate of John Goodrich the elder, being so much taken from him in an hostile manner by Bridger Goodrich, be rejected, for that the subject matter of the said petition is properly cognizable before a court of law.

*Resolved*, that it is the opinion of this committee, That the petition of William Trebell and William Moody, executors of Frederick Bryan deceased, praying to be allowed the sum 52l. 12s. out of the estate of Lord Dunmore, be rejected, for that the subject matter of the said petition is properly cognizable before a court of law.

*Resolved*, that it is the opinion of this committee, That the petition of John Mayo, praying that compensation may be made him out of the estate of Lord Dunmore, for a negro taken by the said Dunmore, while at Norfolk, and carried off with him, be rejected, for that the subject matter of the said petition is properly cognizable before a court of law.

*Resolved*, that it is the opinion of this committee, That the petition of Edward Archer, praying that he may be allowed to retain a quantity of wine, the property of Lord Dunmore, as a compensation for a vessel and valuable cargo, taken and sold by the said Dunmore, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of Isaac Thomas, praying an allowance for a negro slave drowned by the Cherokee Indians, be rejected.

And then the House adjourned till to-morrow morning, 10 o'clock.

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### WEDNESDAY, October 14, 1778.

A petition of Stephen Fisher was presented to the House, and read; setting forth, that he was employed as master of the pack horse, in a detachment sent to the defence of Kentucky, and in a skirmish with the Indians received a wound in his right shoulder, which has rendered him incapable of getting his livelihood, and praying such relief as may be thought reasonable.

Also a petition of Lawrense Gillock; setting forth, that he had a son who had enlisted into the continental service lying sick at his house during the fall and winter of 1776, that the petitioner has been at a considerable expense in bringing him home and nursing him, and praying reasonable satisfaction for the same.

Also a petition of William Thomason; setting forth, that his son Turner Thomason, and Thomas Fleming, both soldiers in the continental service, lay sick at his house for a considerable time, which occasioned great expense to the petitioner, and praying such relief as may be thought just.

Also a petition of John Revelly; setting forth, that he was employed by the committee of Safety in making experiments on clay in order to discover such as was proper for fire bricks, and in rendering other services towards the erection of a foundry for casting cannon, that he made no stipulation for any certain wages, and pray that they may now be settled as his part of the work is completed.

Also a petition of John Edwards; setting forth, that the sheriff of Brunswick county pressed a horse belonging to him in order to convey Jesse Briggs, charged with horse stealing, to the public jail, that his horse was lost on the return of the sheriff, and praying such relief as may be thought reasonable.

*Ordered*, That the said petitions be referred to the committee of Public Claims, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the keeper of the public stores be desired to deliver to each of the door keepers of the Senate cloth and necessary trimmings for a suit of clothes and a great coat, and that the treasurer pay for the making of the same out of the public money in his hands.

*Ordered*, That Mr. Fleming do carry the said resolution to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "for establishing a land office," and that Messrs. Tazewell, Kello, Cary, Harrison of Brandon, Tyler, Hite, Todd, G. Carrington, Campbell, Trigg, Parker, Meriwether, Bledsoe and Fleming, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "for amending an act, entitled 'an act for establishing a General Court, and for other purposes,'" and that Messrs. Terry, Lee, Kello, Fleming, Talbot, Tazewell and Payne, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled 'an act for raising a supply of money for public exigencies,'" and that Messrs. Tyler, Payne, Meriwether, N. Burwell, Carter, Tazewell, Lomax, Wm. Watkins, Kello, and Hardy, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "to prevent the farther importation of slaves," and that the committee of Trade do prepare and bring in the same.

The Speaker laid before the House a letter from the Governor, inclosing sundry resolutions of Congress and other papers, and stating several matters for the consideration of the General Assembly; and the said letter, resolutions and papers, being read;

*Ordered*, That they be referred to the committee of the whole House on the state of the Commonwealth.

*Resolved*, That this House will, on Wednesday next, proceed by joint ballot with the Senate, to the appointment of a commissioner of the navy, in the room of James Maxwell, Esq. who hath resigned.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

It appearing to the House, that there are no goods in the public stores which may be comfortable to the army, besides those which have been already set apart for their use by the Governor and Council,

*Resolved*, That the Speaker be desired to inform the Governor that it is not the wish of this House farther to suspend the sale of any articles in the said stores.

*Ordered*, That leave be given to bring in a bill, "to enable the delegates of this Commonwealth in Congress to support themselves with dignity;" and that Messrs. Nicholas and Parker, do prepare and bring in the same.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, October 15, 1778.

The House being informed that Mr. Jesse Heard, one of the members for the county of Henry, attended in custody of the serjeant at arms.

*Ordered*, That the said Jesse Heard be discharged out of custody, paying fees.

The House being informed, Mr. Thomas Hewitt, one of the members for the county of Rockingham, and Mr. John Hull, one of the members for the county of Northumberland, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse their absence, when the House was called over on the 7th instant;

*Ordered*, That the said Thomas Hewitt and John Hull, be discharged out of custody, without paying fees.

Two other members having taken the oath required by law, took their seats in the House.

A petition of Henry Peadleton, was presented to the House, and read; setting forth, that a team belonging to him was impressed for the use of the Culpeper militia on their march to head quarters last Fall, that the wagon returned with only three horses, and praying that satisfaction may be made him for the damage which he has sustained.

Also a petition of John Brett; setting forth, that two of his sons who were soldiers in the continental service, laid sick at his house from the 1st of September to the 1st of April, after the 4th Virginia regiment marched to the northward, whereby the petitioner was put to great expense, and praying some compensation for his nursing and attending them.

Also a petition of Joshua Hawkins; setting forth, that being a soldier in the 6th Virginia regiment his leg was broke in an action and himself taken prisoner; that for want of proper care and attendance in the British army, it was so badly cured as to disable him from undergoing any bodily labor, and praying such relief as may be thought reasonable.

Also a petition of Edward Voss; setting forth, that by a judgment of the county of Culpeper, a negro man slave belonging to him was sentenced to be castrated for an attempt to ravish a white woman, of which operation he died, having been previously valued by the said court to three hundred pounds, and praying that compensation may be made him for the same.

Also a petition of John Williams and others; setting forth, that they were ordered in November, 1777, by Col. John Bowman, to the Salt Lick, in Kentucky county, to supply several garrisons with salt, that on their return to Harrodsburg up Kentucky river their canoe was sunk with many valuable articles belonging to the petitioners, and praying that they may be indemnified for their losses, by the Assembly.

Also, a petition of Catlett Jones; setting forth, that he was a soldier in Capt. Boon's company, in the month of



March, 1777, and in a skirmish with the Indians received a wound in the right arm, which has rendered him incapable of getting his livelihood; and praying such relief as may be thought reasonable.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Sundry petitions from several of the inhabitants of the county of Amelia and others, were presented to the House, and read; setting forth, that from misinformation, infirmity and various accidents, they did omit to take the oath of allegiance and fidelity to the Commonwealth, until the 6th day of May last had elapsed, whereby they became subject to double taxes, and praying that this penalty may be removed from them, as they did not incur it through design.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That a special committee be appointed to examine the report of the commissioners, "for inquiring into and ascertaining the losses sustained by the late inhabitants of Norfolk;" and report the same, with their opinion thereupon, to the House.

And a special committee was appointed, of Messrs. Nicholas, Parker, Tyler, Carter, Brown, Cogbill, Nourse, Field, Hite, Lomax and Row.

Mr. Cary, from the committee of Propositions and Grievances, reported, that the committee had according to order had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which they had directed him to report, and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Amelia, praying that the same may be divided into two distinct counties, by the lines dividing the parish of Nottoway and Raleigh, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the said county of Amelia in opposition thereto, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the town of Mecklenburg, in the county of Berkeley, praying that an act may pass "to prevent hogs running at large within the limits of the said town," is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Brunswick, praying to be delivered from paying double taxes, by reason of their not taking the oath or affirmation of allegiance to the State within the time directed by law, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of Abram Shepherd, of the county of Berkeley, praying that a public ferry may be established from his land across Potomac River, to the land of Thomas Swearingen on the opposite shore in the State of Maryland, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of James Devore, of the county of Yohogania, praying that a public ferry may be established from the land of the said Devore, across Monongalia River, to the opposite shore, is reasonable.

Your committee have also had under their consideration the petition of Jacob Moon and Benjamin Thornbury, to them referred; and it appears to the committee from the information of Mr. William Drew, clerk of the county court of Berkeley, that upon suits being instituted in the said court against the said Moon and Thornbury, for the penalty of 100*l.* inflicted by law on every person who should refuse to give an account upon oath of his taxable property, judgment passed against each of them; and that upon the trial of the suit against the said Moon, it appeared from testimony, that the oath had not been tendered him by the assessors, and that the account given by each of them was just; Whereupon the committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the petition of the said Jacob Moon and Benjamin Thornbury, praying relief against the said judgments, is reasonable.

The 1st, 2d, 3d, 4th, 5th and 6th resolutions of the committee being read a second time, were, upon the question, severally put thereupon, agreed to by the House.

The 7th resolution being read a second time, and the question put that it do lie on the table,

It was resolved in the affirmative.

*Ordered*, That the committee of Propositions and Grievances, do prepare and bring in a bill or bills pursuant to the 3d, 4th, 5th and 6th resolutions.

Mr. Kello presented to the House, according to order, a bill, "for preventing the further importation of slaves," and the same was received, and read the first time.

*Resolved*, That the said bill be read a second time.

*Resolved*, That the commissioners of the navy, be directed to lay a state of the navy before this House, particularizing each vessel, its dimensions, number of officers, men and guns, the time each vessel has been in commission, with the service it has performed, and the annual expense of every such vessel.

Mr. Cary, from the committee of Propositions and Grievances, reported, that the committee had according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:



*Resolved, that it is the opinion of this committee,* That the petitions of divers inhabitants of the town of Manchester, praying that an act may pass to "empower the trustees of the said town and their successors, to commence suits against persons trespassing on the streets and commons belonging to the town," is reasonable.

*Resolved, that it is the opinion of this committee,* That the petitions of divers inhabitants of the counties of Washington and Montgomery, praying an alteration in the bounds of the said counties, be rejected.

The first resolution being read a second time, and the question put that it be recommitted to the same committee. It was resolved in the affirmative.

The 2d resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

The treasurer, according to order, laid his accounts before the House.

*Ordered,* That the said accounts lie on the table to be perused by the members of the House.

*Ordered,* That Messrs. Henderson, Fleming, and Crockett, be added to the committee for preparing and bringing in a bill, "for establishing a land office."

And then the House adjourned till to-morrow morning, 10 o'clock.

### FRIDAY, October 16, 1778.

The House being informed that Mr. James Buford, one of the members for the county of Bedford, attended in custody of the serjeant at arms;

*Ordered,* That the said James Buford be discharged out of custody, paying fees.

A bill, "for preventing the farther importation of slaves," was read the second time, and ordered to be committed to the committee of the whole House on Monday next.

*Ordered,* That Mr. Nicholas be added to the committee appointed to take into consideration the letter of Mr. Alexander Purdie, the public printer, and Mr. Curle to the committee of Trade.

The Speaker laid before the House a letter from the Governor, inclosing sundry letters from the president of the Congress and several resolutions of Congress and other papers; and the said letters, resolutions and papers, being read;

*Ordered,* That they be referred to the committee of the whole House on the state of the Commonwealth.

Mr. Lee, from the committee of Public Claims, reported, that the committee had according to order had under their consideration the memorial of Major Ralph Falkner, and others, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved, that it is the opinion of this committee,* That the memorial of the said Ralph Falkner, in behalf of himself and others, praying to be repaid their expenses in travelling from head quarters to Williamsburg, being ordered by his excellency General Washington to superintend the recruiting service in this State, is reasonable; and that the several memorialists, *to wit*, Ralph Falkner, James Burton, John Cole, Peter Garland, Richard Apperson, John Bell, Beverly Stubblefield, Richard Taylor, William Hudson, Henry Conway, Drury Oliver, Wood Boulding, Abraham Murray, William Eppes, George Holland, Alexander Ewing, William Pointer, William Trucker and William Jenkins, ought each to be allowed the sum of 24*l*., to reimburse them their necessary expenses, and that the said sums ought to be charged to the continent.

*Ordered,* That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

A petition of Thomas Davison, was presented to the House, and read; setting forth, that while a soldier in the 4th Virginia regiment he lost the sight of his right eye, and contracted a weakness in the other, which occasioned him to be discharged; that his expenses in travelling home amounted to twelve pounds; and he is incapable of subsisting by his own labor, and praying relief and support.

*Ordered,* That the said petition be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair; and General Nelson reported, that the committee had, according to order, had under their consideration the state of the Commonwealth, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

A resolution of Congress, bearing date the 25th day of September, 1778, whereby the Executive powers of Virginia are requested, without loss of time, to give all possible aid to the States of South Carolina and Georgia, by marching into South Carolina one thousand men, comprehending all the continental troops of this State, having been communicated to this House by his excellency the Governor, who, with the advice of the Council, hath desired the opinion of this House of the propriety of complying with such request:

*Resolved, that it is the opinion of this committee,* That all possible aid ought to be rendered by this State to any of the sister States requiring such aid; and that the Governor upon further and more certain information being by him received, ought to march without loss of time any number of men not exceeding three thousand, to the assistance of the State of South Carolina.

General Nelson, also reported, that the said committee had entered into several other resolutions, which he was ready to report whenever the House should think proper to receive them ;

*Resolved*, That this House will receive the said report on Tuesday next.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, to take into their farther consideration, the state of the Commonwealth.

General Nelson, from the committee of Propositions and Grievances, reported, that the committee had according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth :

*Resolved*, that it is the opinion of this committee, That the petitions of divers inhabitants of the county of Kentucky, praying that the proprietors of lands whereon there are salt springs may be directed within a limited time to erect salt works, and carry on the same in as extensive manner as the waters will afford ; and on failure so to do, that the same may be vested in and carried on by the public, be rejected.

*Resolved*, that it is the opinion of this committee, That the petitions of divers inhabitants of the county of Pittsylvania, praying that the place of holding courts in the said county may be altered and established on the land of Francis Moore Petty, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers others inhabitants of the said county of Pittsylvania in opposition thereto, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the counties of Montgomery and Washington, praying that ten lots of land to contain each one thousand acres, may be laid off in a square, and be granted to five hundred men, to be stationed in companies of fifty each, who, by settling in townships, will prove a barrier to the incursions of the Indians, be rejected.

The first and fourth resolutions of the said committee, being read a second time, were, upon the question severally put thereupon, agreed to by the House.

The second and third resolutions of the said committee being read a second time, and the question severally put that they be recommitted to the same committee,

It was resolved in the affirmative.

*Ordered*, That leave be given to bring in a bill, "to extend the powers of the Governor and Council;" and that Messrs. Trigg, Strother, Curle, Carter, Parker and Kello, do prepare, and bring in the same.

Mr. G. Carrington, from the committee of Religion, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to, as followeth :

1. *Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the parish of Beckford and county of Shenandoah, praying a dissolution of the vestry of the said parish, is reasonable.

2. *Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the parish of Notoway and county of Southampton, praying a dissolution of the vestry of the said parish, is reasonable.

3. *Resolved*, that it is the opinion of this committee, That the petitions of divers freeholders, inhabitants and housekeepers of the parish of Amherst and county of Amherst, praying a division of the said parish, and that the present glebe may be sold, and the money arising from such sale divided between the two parishes in proportion to the number of tithables in each parish, is reasonable.

*Ordered*, That the committee for Religion, do prepare and bring in a bill or bills pursuant to the said resolutions.

*Ordered*, That Mr. Morton have leave to be absent from the service of this House, until the 5th day of November next.

And then the House adjourned till to-morrow morning, 10 o'clock.

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#### SATURDAY, October 17, 1778.

The House being informed that Mr. John Wilson, one of the members for the county of Pittsylvania, attended in custody of the serjeant at arms,

*Ordered*, That the said John Wilson be discharged out of custody, paying fees.

The Speaker laid before the House a letter from the Governor, enclosing one from Colonel Matthews ;

And the said letters being read,

*Resolved*, That this House will immediately resolve itself into a committee of the whole House, on the said letters ; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said letters under their consideration and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth :

His excellency the Governor, having received information from Major Thomas Matthews, the officer command-



ing at Fort Henry, that a British officer has arrived there charged with despatches from the enemy at New York, directed to the Speaker of the Assembly, to the several officers of government in this State, and the ministers of the gospel; which the said Major Matthews hath refused to receive, till he shall know the pleasure of the Governor therein; and he having laid the said information before this House, and requested their advice how he shall proceed;

*Resolved, Therefore,* That his excellency the Governor be requested to inform Major Matthews, that this House highly approve his conduct in refusing to receive the several despatches, brought by the British officer from New York.

*Resolved, That it is the opinion of this committee,* That his excellency the Governor be requested to direct Major Thomas Matthews, to inform the officer charged with the despatches from New York, that they look on this attempt, as calculated to divide and mislead the good people of this country, and that they highly resent the behavior of him, and those who sent him as they must well know, that this State ought to hold no such correspondence with the enemies of America.

*Resolved,* That his excellency the Governor be requested, to direct Major Thomas Matthews to order the officer charged with the said despatches, immediately to depart this State with the same; and to inform him, that in future any persons making a like attempt shall be secured as an enemy to America.

A motion was made, and the question being put, that the House doth agree with the said committee in the said resolutions *nemine contra dicente*,

It was resolved in the affirmative,—Yeas 72—Noes 2.

*Ordered,* That Mr. Carter carry the said resolutions to the Senate, and desire their concurrence.

A petition of Ulysses Rogers, was presented to the House, and read; setting forth, that while a soldier in the 6th Virginia regiment, he received a wound in his thigh at Fort Mifflin, which has rendered him incapable of getting his living, and praying such relief as may be thought reasonable.

*Ordered,* That the said petition be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Two petitions of Samuel Portlock, and Ophia Wonycott widow and executrix of the will of Nicholas Wonycott, deceased, were presented to the House, and read; setting forth, that through a mistake several of the houses of the petitioners, Samuel Portlock and the said Nicholas Wonycott, in the town of Norfolk, which were burnt by order of convention, were reported by the commissioners as having been burnt by the State troops; that several other of their houses were destroyed by the State troops; and praying, that in the one case the mistake may be rectified, and relief granted in the other.

*Ordered,* That the said petitions be referred to the committee appointed to examine the report of the commissioners for inquiring into the losses sustained by the late inhabitants of Norfolk; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered,* That Mr. Benjamin Harrison, have leave to be absent from the service of this House, until Monday se'nnight; Mr. Cabell, until the 7th day of November; Mr. Terry during the remainder of the session; Mr. J. Carrington, until the 6th day of November next; and Mr. Talbot, until Wednesday next.

Mr. Lee, from the committee of Public Claims, reported that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of Abner Newman, who was ordered by Capt. George Slaughter of the 8th Virginia regiment, when at Fredericksburg, to go to Carolina in search of two soldiers belonging to the said regiment, who had been left there sick, on which journey he incurred considerable expense, is reasonable; and that the petitioner ought to be reimbursed the said expense, amounting to the sum of 12*l.* 5*s.*, and that the same ought to be charged to the United States.

*Resolved, that it is the opinion of this committee,* That the petition of William Jones, a soldier in Captain Kirkpatrick's company, who was wounded in his left knee in the action at Brandywine, thereby rendered unfit for duty, and incapable of getting a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 15*l.* for his present relief, and a farther allowance of full pay as a soldier during life; and that the same ought to be charged in the account of this Commonwealth, against the United States.

*Resolved, that it is the opinion of this committee,* That the petition of Daniel Thornton, praying an allowance for nursing and maintaining his son Jesse Thornton, a soldier in the continental service, who came to his house sick on the third day of September, 1776, and there continued until the tenth day of December following, when he returned to duty, is reasonable; and that the petitioner ought to be allowed for the same at the rate of 10*d.* per day, for ninety-eight days; which amounts to the sum of 4*l.* 1*s.* 8*d.*; and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Resolved, that it is the opinion of this committee,* That the petition of James Berry, of Captain Harrod's company of militia, who on the 11th day of September, 1777, in an engagement with a party of Indians, was shot through the body, by which means he is rendered unable to procure subsistence for himself and six small children, praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and the further sum of one year's pay as a soldier.

*Ordered,* That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.



Gen. Nelson, according to order, presented a bill, "for establishing several new ferries;" and the same was received and read the first time, and ordered to be read a second time.

Gen. Nelson, according to order, presented a bill, "to prevent swine going at large in the town of Mecklenburg, in the county of Berkeley;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled, 'an act, for regulating and disciplining the militia,'" and that Messrs. W. Watkins, Brown, Dabney, Cannon, Gen. Nelson, Penn, Peachey, G. Carrington, Southall, Wright, Goode, and W. Smith, do prepare and bring in the same.

*Ordered*, That Mr. Southall be added to the committees for Religion and Public Claims; and Mr. Curle to the committee of Propositions and Grievances.

*Ordered*, That leave be given to bring in a bill, "for appointing commissioners for extending the boundary line between this State and the State of North Carolina;" and that Messrs. Bledsoe, Kello and Curle, do prepare and bring in the same.

The order of the day for the House again to resolve itself into a committee of the whole House on the state of the Commonwealth, being read;

*Ordered*, That the same be put off till Monday next.

*Resolved*, That the treasurer be directed to receive any sum or sums of money into the treasury, which shall be offered to be paid him before the first day of December next, by the sheriffs of the respective counties for taxes collected by them, although they do not amount to the full assessment for each county, provided such sum or sums of money offered to be paid in, do not amount to less than one thousand pounds.

*Ordered*, That Mr. Parker do carry the said resolutions to the Senate, and desire their concurrence.

And then the House adjourned till Monday morning, 10 o'clock.

#### MONDAY, October 19, 1778.

The House being informed, that Mr. Micajah Watkins, one of the members for the county of Halifax; and Mr. Josias Clapham, one of the members for the county of Loudoun, attend in custody of the serjeant at arms;

*Ordered*, That the said Micajah Watkins, and Josias Clapham, be discharged out of custody, paying fees.

Another member returned upon a new writ, having taken the oath required by law, took his seat in the House.

*Ordered*, That the committee of Propositions and Grievances, be discharged from proceeding on the petitions of John Revely, and certain non-jurors, praying to be relieved from double taxes.

*Ordered*, That it be an instruction to the committee appointed, to prepare and bring in a bill, "to amend an act entitled 'an act for raising a supply of money for public exigencies,'" that they receive a clause or clauses, for the relief of certain non-jurors, from double taxes.

*Ordered*, That Messrs. Samuel Hardy, and Edward Charlton, be appointed commissioners to take the depositions of witnesses, as well on behalf of the Commonwealth, as of Richard Henderson and Company, on the subject of their memorial.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of John Revely, praying an allowance for superintending and directing (in behalf of the public,) the building of an air-furnace for making pig metal and casting of cannon, is reasonable; and that the petitioner ought to be paid by the public 20s. per day for one year and seven months, amounting to the sum of 578*l*.

*Resolved*, that it is the opinion of this committee, That the petition of Capt. James Buckles, Lient. William Buckles, and Ensign Jacob Lewis, of the county of Berkeley, setting forth, that three companies of the militia of that county were ordered to Fort Pitt under the command of General McIntosh; that after being there sometime, major Morgan, who commanded the said companies, made out a pay roll and presented it to the General to sign, who refused to do so, by reason that only one hundred of the men that were drafted marched, therefore he could only allow officers for two companies; and that the petitioners then agreed to be enrolled as serjeants rather than the pay roll should not be certified by the General; by which means the private men would have been kept out of their pay; and praying an additional allowance, is reasonable; and that there ought to be allowed to James Buckles 6*s*. per day for 120 days, amounting to the sum of 36*l*.; to William Buckles 3*s*. 5*d*. per day for 105 days, amounting to the sum of 17*l*. 18*s*. 9*d*.; and to Jacob Lewis 2*s*. per day for 120 days, amounting to the sum of 12*l*.; being the difference between their respective pay as captain, lieutenant and ensign and that of serjeants; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of Thomas Brown, a soldier in the 9th Virginia regiment, who in the battle of Germantown was taken prisoner, and whilst confined in jail got frost-bitten in both his feet, by which means he is rendered incapable of getting a livelihood by labor, is reasonable; and that the petitioner

ought to be allowed the sum of 30*l*. for his present relief, and a farther allowance of full pay as a soldier during life, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved, that it is the opinion of this committee,* That the petition of Stephen Fisher, pack-horse master in a detachment of militia sent to Kentucky under Col. Bowman for the defence of that part of the country, who in an engagement with the Indians received a wound in his right shoulder, which renders him incapable of getting subsistence for himself and a large family, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and a farther allowance of 3*s*. per day for three years, from the 25th day of October, 1777.

*Resolved, that it is the opinion of this committee,* That the petition of Isaiah Barnes, a soldier in Capt. Matthews' company of the fourth Virginia regiment, who is now languishing under a severe illness, occasioned by the hardships which he suffered in the winter's campaign of 1776, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of Charles Allen, a soldier in the ninth Virginia regiment, who having served the term of his enlistment, obtained a discharge, and on his way home was taken sick at the house of Turner Patterson, where he remained dangerously ill four weeks and four days, during which time he was nursed and taken extraordinary care of by the family; praying to be enabled to make some satisfaction to the poor people for their trouble and expense of him, is reasonable; and that he ought to be allowed the sum of 10*l*., and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved, that it is the opinion of this committee,* That the petition of Joseph Sandidge, a soldier in the sixth Virginia regiment, who having lost the use of his left arm in consequence of a wound received in the battle of Brandywine, whereby he is rendered incapable of getting a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and a farther allowance of full pay as a soldier for the term of three years, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved, that it is the opinion of this committee,* That the petition of Spencer Thaddens Bramham, praying to be allowed for the trouble and expense he had been at with his son Spencer Bramham, a soldier in the continental service, who came to his house sick on the 19th day of October, 1776, and there continued until the 1st day of March following, when he left that place to join his company, is reasonable; and that the petitioner ought to be allowed for the same at the rate of 10*d*. per day for 133 days, amounting to the sum of 5*l*. 10*s*. 10*d*., and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved, that it is the opinion of this committee,* That the petition of Joseph Thomas, praying to be allowed for nursing and maintaining his two sons, soldiers in the continental service, who came to his house sick about the middle of September, 1776, one of whom died the last day of December, the other continued there till the Spring following, is reasonable; and that the petitioner ought to be allowed 10*d*. per day for 107 days, for the one, and the same rate for 166 days, for the other, amounting in the whole to the sum of 11*l*. 7*s*. 6*d*.; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Ordered,* That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.

A petition of Craven Peyton was presented to the House, and read; setting forth, that on the 21st day of September, 1775, he mortgaged certain pieces of land and sundry slaves to Messrs. Gilpin and Loxham, merchants, in White Haven; that he has since sold the said land for five hundred pounds more than it was mortgaged for, but cannot receive any part of the purchase money until he obtains a release from the said mortgage, and is enabled to make a good title; that he has applied to Mr. John Meals of Fredericksburg, agent for the said Loxham, to receive the mortgage money and grant such release, which he has refused to do; and praying that the petitioner be empowered to convey the said land upon lodging the mortgage money in the treasury.

Also, a petition of sundry inhabitants of the county of Culpeper; setting forth, that before the erection of grist mills, hedges, stops and dams on the rivers Rapedan and Robertson they caught great quantities of fish, the passage whereof is now wholly obstructed; the law obliging owners of mills on the said rivers to keep openings and slopes has by no means had the desired effect; and praying that they may be obliged to make openings at least twenty feet wide to the bottom of the rivers, and to keep them up from the 1st day of March to the 20th day of May.

Also, a petition of sundry inhabitants of Orange and Culpeper counties, in opposition thereto.

*Ordered,* That the said petitions be referred to the committee of Propositions and Grievances; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Nathaniel Littleton Savage was presented to the House, and read; setting forth, that he was a joint proprietor of the new distillery in Norfolk, which was burnt by order of the Convention; that there was destroyed with it a considerable stock of molasses and rum; and praying that some satisfaction may be made him for his share.

*Ordered,* That the said petition be referred to the committee appointed to examine the report of the commissioners appointed to ascertain the losses sustained by the late inhabitants of Norfolk; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the parish of Campden, in the counties of Pittsylvania and Henry, was presented to the House, and read; setting forth, that the said parish is too extensive for one minister to perform the duties of his function; and praying that the same may be divided; and in case such a division should take place, that an act may pass for the sale of the present glebe.



Also, a petition of sundry of the inhabitants of the parish of Portsmouth, in the county of Norfolk; setting forth, that no levy has been laid in the said parish since November, 1774; that by the death of some and removal of others there does not remain a sufficient number of members in the vestry to constitute a meeting; and praying that the same may be dissolved, and a new one chosen.

Also, two petitions of the inhabitants of the parish of Elizabeth River, in the county of Norfolk, and of the church wardens of the parish of North Farnham, in the county of Richmond, to a like purpose.

*Ordered*, That the said petitions be referred to the committee of Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Stephen Terry, setting forth, that while a soldier in the 3d Virginia regiment he received a wound in his shoulder, which rendered him incapable of getting his livelihood; that the General Assembly, at a former session, made him an allowance in consideration of the said wound, for his relief at that time; and praying such farther support as may be thought reasonable.

Also, a petition of John Madison, setting forth, that he had a horse, which was valued at sixty pounds, pressed by one Jones, an express from Congress to the Governor; and praying that the said sixty pounds may be allowed him.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry persons, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they are essentially injured by the practice of several monopolizers and engrossers within this Commonwealth; and praying that some steps may be taken to prevent the same.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Cary, from the committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration the petitions of divers inhabitants of the county of Pittsylvania, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petitions of divers inhabitants of the said county of Pittsylvania, praying that the place of holding courts in the said county may be fixed on the land of Francis Moore Petty, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the said county of Pittsylvania in opposition thereto, is reasonable.

A bill, "to prevent swine going at large in the town of Mecklenburg in the county of Berkeley," was read a second time, and ordered to be engrossed, and read a third time.

A bill, "for establishing several new ferries," was read a second time, and ordered to be committed to the committee of Propositions and Grievances, who are to receive a clause or clauses to empower the several county courts to alter the rates of ferries.

*Ordered*, That Messrs. Burr Harrison, Hite and Judkins, be added to the committee of Propositions and Grievances; Messrs. Burr Harrison and Hite, to the committee of Trade; Messrs. Crockett and Hull, to the committee of Public Claims; Messrs. Hewitt, Bird, and Micajah Watkins to the committee of Religion.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Lawrence Gillock, praying to be reimbursed his expenses in travelling to Head Quarters, and bringing home his son, a soldier in the continental service, who lay there ill with rheumatic pains, which rendered him for a considerable time unfit for duty; also to be compensated for nursing and maintaining his said son, is reasonable; and that the petitioner ought to be reimbursed his travelling expenses, amounting to the sum of 7*l.* 10*s.*, and a further allowance of 10*d.* per day for 131 days, amounting to the sum of 5*l.* 9*s.* 2*d.*, as a compensation for nursing and maintaining his said son; and that the aforesaid several sums ought to be charged in the account of this Commonwealth, against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of John Edwards, praying an allowance for a mare impressed by the deputy sheriff of Brunswick county, to convey James Briggs, a criminal, to the public jail, and was lost by the sheriff on his return; be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of Christopher Harwood, who engaged as a volunteer under Gen. Nelson, praying to be allowed for a mare, his own property, which died on his way to join the corps, occasioned (as was supposed) by the excessive heat of the weather, is reasonable; and that the petitioner ought to be allowed the sum of 100*l.*, for the same.

*Resolved*, that it is the opinion of this committee, That the petition of Joshua Hawkins a soldier in the 6th Virginia regiment, who in an engagement with the enemy had one of his legs broke, and afterwards taken prisoner, which, for want of proper care and management whilst a captain, is rendered almost useless; and he by that means deprived of getting a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of William Thomasson, praying an allowance



for nursing and maintaining two soldiers in the continental service, who came to his house sick, be rejected, for want of sufficient proof.

The 1st, 3d and 4th resolutions being read a second time, were upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.

The 2d and 5th resolutions of the committee were read a second time, and upon the question being put, that they be recommitted to the same committee,

It was resolved in the affirmative.

The House according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for preventing the farther importation of slaves," and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

*Ordered*, That the order of the day for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, October 20, 1778.

Several petitions of sundry inhabitants of the county of Fluvanna, were presented to the House and read; setting forth, that they find themselves deceived in their expectations from their establishment of their county; that it would be of great benefit to them, if their said county was to be dissolved and added to Albemarle, Louisa, and Goochland, in convenient proportions, and praying that such additions may take place.

Also, a petition of sundry inhabitants of the said counties of Fluvanna and Goochland, in opposition thereto.

Also, a petition of the justices of the county court of Rockingham, in behalf of themselves and others, inhabitants of the said county, setting forth, that when Rockingham was taken from Augusta, they expected the boundaries would have been very different from what they at present are; that the minister of the parish of Augusta is now dead; and praying that the said boundaries may be re-formed, according to the map to their petition annexed; and that an act of Assembly may pass, for the sale of the glebe of the said parish of Augusta, and commissioners be appointed, to value the courthouse, jail, and churches, and ascertain what may be due to the county of Rockingham from the same, as well as their dividend of the tobacco levied for the county of Augusta in the last public proportion.

Also, a petition of sundry of the inhabitants of the lower end of the county of Augusta, setting forth, that it will be much to their advantage to be added to the county of Rockingham, and praying that they may be so.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry of the inhabitants of the parishes of Hanover and Washington, in the counties of Westmoreland and King George, was presented to the House, and read; setting forth, that by the late division of the said counties the said parishes are rendered very inconvenient to the people who live in them; and praying that that part of the parish of Hanover which lies in Westmoreland, may be annexed to the parish of Washington; and that part of the parish of Washington which lies in King George, to the parish of Hanover; and that in case such an addition should take place, leave may be given for the sale of the glebe in the parish of Washington, and vestries of both parishes be dissolved.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the committee of Propositions and Grievances, be discharged from proceeding on the petition of Craven Peyton.

A petition of John Bell, of the State of Delaware, was presented to the House, and read; setting forth, that he purchased 220 bushels of salt at 6l. 10s. per bushel, which are seized by Colonel Southey Simpson for public use; and for which the petitioner received from him only 5l. per bushel; that he has been at considerable expense for the wagonage of the said salt; and praying such compensation for the same, as may be thought reasonable.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

A petition of John Stratton, was presented to the House, and read; setting forth, that from the erection of a fort on his land at Cherry Stones in the county of Northampton, a valuable plantation of his has been subject to many trespasses from the soldiery; that he has produced to the auditors an estimate on oath, of the damage which he has sustained thereby, who have referred him to the House for redress; and praying such relief as may be thought reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; that they do examine the matter and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled 'an act for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties,'" and that the committee of Propositions and Grievances, do prepare and bring in the same.

General Nelson, from the committee to whom the printer's letter was referred, reported, that the committee had received his proposals and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to as followeth:

*Resolved*, That Mr. Alexander Purdie be allowed the sum of fifteen hundred pounds per annum for his services as public printer.

*Resolved*, That the treasurer be directed to purchase any quantity of paper not exceeding 250 reams, to be delivered to Mr. Purdie for the use of the public.

*Resolved*, That the treasurer be directed to advance to Mr. Purdie the sum of twelve hundred pounds, to be deducted out of his salary.

*Ordered*, That General Nelson do carry the said resolutions to the Senate, and desire their concurrence.

General Nelson, from the committee of Propositions and Grievances, to whom the petitions of divers inhabitants of the town of Manchester were recommitted, reported, that the committee had, according to order, had the said petition under their farther consideration, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the town of Manchester, praying that the trustees of the said town may be empowered to commence suit or suits against any person or persons, committing trespass on the streets, or lands, appropriated for the use of the said town, is reasonable.

*Ordered*, That the committee of Propositions and Grievances, do prepare and bring in a bill or bills pursuant to the said resolutions.

The House, according to the order of the day, resolved itself into a committee of the whole House, to take into their farther consideration the bill, "for preventing a further importation of slaves," and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the same under their consideration, and had gone through the said bill, and made several amendments thereto, which he was ready to report whenever the House should think proper to receive them.

*Resolved*, That the said report be received to-morrow.

An engrossed bill, "to prevent swine going at large in the town of Mecklenburg, in the county of Berkeley," was read a third time.

*Ordered*, That the said bill do pass, and that the title be, "an act to prevent swine going at large in the town of Mecklenburg, in the county of Berkeley."

*Ordered*, That Mr. Nourse do carry the said bill to the Senate, and desire their concurrence.

General Nelson, according to the order of Friday last, reported two resolutions from the committee of the whole House, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, That no embargo can or ought to be laid within this State by any power whatsoever, unless authorised so to do by the laws of the Commonwealth.

*Resolved*, That the Governor with advice of the Council, ought to have the power for a limited time, of laying an embargo on provisions.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions, and that Messrs. General Nelson, Cary, Tyler, Nicholas, Carter, Kello, Curle, Meriwether and Lyne, do prepare and bring in the same.

Mr. Trigg, presented to the House according to order, a bill, "to extend the powers of the Governor and Council," and the same was received and read the first time, and ordered to be read a second time.

A bill, "to extend the powers of the Governor and Council," was read a second time, and ordered to be committed to a committee of the whole House immediately;

The House accordingly immediately resolved itself into a committee of the whole House, on the said bill, and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and had made some progress therein; but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself in a committee of the whole House on the said bill.

The order of the day for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read;

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.



WEDNESDAY, October 21, 1778.

Mr. Carter, according to the order of yesterday, reported, that the committee of the whole House had accordingly to order had the bill "for preventing the farther importation of slaves," under their consideration, and had gone through the same, and made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the bill with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, "for empowering the Governor and Council to procure salt, for the use of the inhabitants of this Commonwealth."

Also, to the resolutions respecting the despatches offered by a British officer, to Major Matthews at Hampton.

Also, the resolution for proceeding on this day, by joint ballot with this House, to the appointment of a commissioner of the Navy.

Three other members having taken the oath required by law, took their seats in the House.

Mr. Lee, from the committee of Public Claims, reported that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read; and are as followeth :

1. *Resolved*, that it is the opinion of this committee, That the petition of Thomas Davidson, a soldier in the 4th Virginia regiment, who being rendered unfit for duty, from the hardships he suffered while in the army and the loss of one eye occasioned by the small pox, was discharged, and in travelling home incurred considerable expense, is reasonable; and that the petitioner ought to be reimbursed his travelling expenses, amounting to the sum of 12*l.*; and also to be allowed the sum of 30*l.* for his present relief, and full pay as a soldier for the term of three years; and that the aforesaid allowances ought to be charged in the account of this Commonwealth against the United States of America.

2. *Resolved*, that it is the opinion of this committee, That the petition of Ulysses Rogers, a soldier in the 6th Virginia regiment, who received a wound in one of his thighs at Fort Mifflin, which has rendered him incapable of getting a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of full pay as a soldier for the term of three years; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

3. *Resolved*, that it is the opinion of this committee, That the petition of Catlett Jones, of Captain Boone's company, who, in an engagement with the Indians, received a wound in his right arm, which hath rendered him unable to get a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 20*l.* for his present relief, and the further sum of 10*l.* per annum during life.

The first and second resolutions, were read a second time, and ordered to lie on the table.

The third resolution being read a second time, was upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Parker presented, according to order, a bill, "to enable the delegates of this Commonwealth in Congress to support themselves with dignity;" and the same was received and read the first time, and ordered to be read a second time.

A petition of Thomas Dudley was presented to the House, and read; setting forth, that in the Summer of 1775, while he was an inspector at Shepherd's warehouse, 200 lbs. of tobacco were taken thereout, which he was obliged to make good; and praying to be allowed the sum of forty five-shillings for the same.

Also, a petition of Matthew Marable; setting forth, that he was summoned as a venire man from the county of Mecklenburg, in the case of one Thomas Green; that he obeyed the summons, and became entitled thereby to 570 lbs. of tobacco, exclusive of ferriages; that the committee of Claims allowed him 123 lbs. of tobacco only, and praying for redress.

Also, a petition of Samuel Ingram; setting forth, that while a soldier, in the month of July, 1777, against the Indians, he received a wound in an engagement through the breast, in the curing of which he has been at great expense for a doctor, and is now rendered incapable of getting his livelihood, and praying relief and support.

Also, a petition of William Schofield; setting forth, that being a soldier in the 5th Virginia regiment, he received a wound in his knee at the battle of Germantown, and is now languishing under the same in a deplorable state; and praying such relief as may be thought reasonable.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Halifax, was presented to the House, and read; setting forth, that they are informed that a petition has been presented to the House, in opposition to one some time ago presented for a division of the said county; that several gross misrepresentations have been made respecting this matter, and praying that a division may, notwithstanding, take place.

Also, a petition of the inhabitants of Augusta county; setting forth, that they are much surprised a petition depending before this House complaining of injustice having been done to the county of Rockingham in laying off the boundaries of the same; and praying that the said petition may be rejected, or at least postponed, till the next session of Assembly.



*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Gen. Nelson, presented according to order, a bill "to enlarge the powers of the trustees of the town of Manchester," and the same was received and read the first time, and ordered to be read a second time.

Gen. Nelson reported, from the committee of Propositions and Grievances, to whom the bill "for establishing several new ferries" had been committed, that the committee had according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read and agreed to.

*Ordered*, That the said bill with the amendments be engrossed, and read a third time.

Gen. Nelson, from the committee of Propositions and Grievances, reported that the committee had, according to order, had under their consideration the petition of divers inhabitants of the county of Buckingham, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the said county of Buckingham, praying that part of the said county may be added to Cumberland county, is reasonable.

*Resolved*, that it is the opinion of this committee, That all that part of the county of Buckingham that lies on the east side of the road leading from Cannon's ferry to James river to the line of Cumberland county, ought to be added to, and made part of the said county of Cumberland.

*Resolved*, that it is the opinion of this committee, That the petitions of divers inhabitants of the said county of Buckingham, in opposition thereto, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of William Thomasson, praying an allowance for his trouble and expense in removing his son Turner Thomasson, a soldier in the continental service, who lay sick at Williamsburg, to his house in the county of Orange, and for nursing and maintaining the said Turner Thomasson and Thomas Fleming, another continental soldier, who came to his house sick on the 16th October, 1776, both of whom continued sick on his hands for a considerable time, is reasonable; and that the petitioner ought to be allowed the sum of 40s. for his trouble and expense in removing his son, and also a farther allowance of 10*l.* per day for 372 days, amounting to the sum of 15*l.* 10s. for nursing and maintaining the said Turner Thomasson and Thomas Fleming, to be charged to the United States of America.

*Ordered*, That a bill or bills be brought in pursuant to the first and second resolutions, and that the committee of Propositions and Grievances do prepare and bring in the same.

*Ordered*, That the committee of Propositions and Grievances, be discharged from proceeding on the petitions of certain non-jurors, for relief from double taxes.

*Ordered*, That the committee appointed to inquire into the steps taken to supply the army with necessaries, in pursuance of a late act of Assembly, be discharged from proceeding therein.

*Resolved*, That the Governor and Council be requested to inform the General Assembly, what steps they have taken to supply the troops of this State, in continental pay, with necessaries.

*Resolved*, That a message be sent to the Senate, informing them, that as James Innes, Esq. is the only person nominated to be ballotted for, as a commissioner of the navy, this House doth propose that he be appointed to the said office without ballot.

*Ordered*, That Gen. Nelson do carry the said message to the Senate.

*Resolved*, That the Governor and Council be desired to lay before the General Assembly, the Journal of their proceedings.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed that James Innes, Esq. be appointed a commissioner of the navy without ballot. And then he withdrew.

*Resolved, unanimously*, That James Innes, Esq. be appointed a commissioner of the navy. 444.6.30.

*Ordered*, That Gen. Nelson do carry the said resolution to the Senate, and desire their concurrence.

The House according to the order of the day, resolved itself into a committee of the whole House, on the bill "to extend the powers of the Governor and Council;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had under their consideration the said bill, and had made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

THURSDAY, October 22, 1778.

The House being informed, that Mr. Robert Lawson, one of the members for the county of Prince Edward; and Mr. Isaac Avery, one of the members for the county of Northampton, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse their absence, when the House was called over on the seventh day of this month,

*Ordered*, That the said Robert Lawson, and Isaac Avery be discharged out of custody, without paying fees.

*Ordered*, That the chaplain do attend to read prayers at half an hour after 7 o'clock every morning, in the House.

*Ordered*, That Mr. Nicholas do acquaint the Senate therewith.

A petition of Adam Stephen and Anthony Noble, was presented to the House, and read; setting forth, that the militia who were ordered from the county of Berkeley to Fort Pitt in September last, were furnished by him with seventy-five muskets with bayonets and scabbards, and eight rifles; and praying satisfaction for the same.

Also, a petition of Richard James; setting forth, that after the expiration of the late fee bill, he as sheriff of Cumberland county, received an execution on a judgment of the General Court, against William Smith, a former sheriff of that county, for 312l. 8s., being arrears of quit rents in his hands; that the petitioner has levied and fully paid the same; but there being no law to settle his fee, he could not demand any thing for so doing from the said Smith; and praying such relief as may be thought reasonable.

Also, a petition of George Petit; setting forth, that being a soldier in the ninth Virginia regiment, he received a wound at the battle of Germantown, by which he has lost his left arm a little below the elbow; and praying for such an allowance as may be thought reasonable.

Also, a petition of David Blanks; setting forth, that being an artificer in the State artillery, he received a hurt in his right hand while employed in getting timbers for gun carriages, which rendered him unable to be of any service in that character, and he was accordingly discharged; and praying such allowance as may be thought reasonable.

Also, a petition of James Campbell; setting forth, that being a volunteer in the continental army, he received a wound in his left arm in an engagement near Piscataway, in the Jerseys, which broke the bone to pieces; that he has been at considerable expense in effecting his cure, and is rendered incapable of maintaining himself and family by labor; and praying such relief as may be thought just and reasonable.

Also, a petition of William Frances; setting forth, that being a soldier in the continental service, he contracted a dangerous paralytic disorder, which has disabled him from getting his livelihood; and praying such relief as may be thought reasonable.

Also, a petition of Archibald Compton; setting forth, that being a soldier in the second Virginia regiment, he was wounded in the knee by a musket ball, which disqualified him from farther military duty, and rendered him incapable of getting a livelihood; and praying such relief as may be thought reasonable.

Also, a petition of William Wroe; setting forth, that being a serjeant in the fifth Virginia regiment, he was taken ill at a considerable distance from any surgeon or hospital of the army; and being desirous of returning to his duty, he called in doctor Walter Jones to his assistance; that he paid the doctor for his attendance, 3l. 11s.; and praying to be reimbursed the same.

Also, a petition of John Quarles; setting forth, that being county lieutenant of Bedford, he received instruction and money from the Governor, for appointing recruiting officers; that upon the said officers failing of success, they returned to him the different sums of money which they had received; among which were three bad 15 dollar bills; and praying to be indemnified for the same.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of William Frazer and Henry Fleet was presented to the House, and read; setting forth, that they are the proprietors of Fox's ferry in the county of King William, and Fleet's ferry in the county of King and Queen; that they conceive that it will not be of any consequence to the public if the same should be put down, that the keeping of them up, is of great prejudice to your petitioners; and praying that the said ferries may be suppressed.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Micajah Watkins be added to the committee of Propositions and Grievances; and Messrs. Strother, Clapham, Bowyer and Winslow, to the committee appointed to prepare and bring in a bill, "for amending the militia law."

An engrossed bill, "for preventing the farther importation of slaves," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for preventing the farther importation of slaves."

*Ordered*, That Mr. Kello do carry the bill to the Senate and desire their concurrence.

An engrossed bill, "for establishing several new ferries," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for establishing several new ferries, and other purposes."

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.

General Nelson presented according to order, a bill, "for adding part of the county of Buckingham to the county of Cumberland;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington reported from the committee for Religion, that they had, according to order, had under their con-



sideration sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the parish of Elizabeth River and county of Norfolk, praying a dissolution of the vestry of the said parish, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the parish of Portsmouth and county of Norfolk; praying a dissolution of the vestry of the said parish, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the parish of Campden and counties of Pittsylvania and Henry, praying that the said parish may be divided by the line which divides the said counties; and that the present glebe may be sold, and the money arising from such sale, divided between the two parishes in proportion to the number of tithables in each parish, is reasonable.

Mr. Fleming, presented according to order, a bill, "for reviving several public warehouses for the inspection of tobacco," and the same was received and read the first time, and ordered to be read a second time.

A bill, "to enlarge the powers of the trustees of the town of Manchester," was read a second time, and ordered to be engrossed and read a third time.

A bill, "to enable the delegates of this Commonwealth in Congress, to support themselves with dignity," was read a second time, and ordered to be committed to a committee of the whole House, on Thursday next.

*Ordered,* That leave be given to bring in a bill, "to enable the treasurer to borrow a farther sum of money;" and that Mr. Nicholas do prepare and bring in the same.

Gen. Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of sundry inhabitants of the counties of Bedford and Henry, praying that a new county may be formed, by taking the upper end of the county of Bedford and part of the county of Henry, by a line to begin at the mouth of Blackwater river, thence along the dividing line between the counties of Pittsylvania and Henry to the east end of Turkeycock mountain, thence along the top of the said mountain to the west end thereof, thence a straight line to the head of Shooting creek, and to continue the same course to the top of the Blue Ridge, thence along the said Ridge to Staunton river, and down the said river to the beginning, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the said county of Henry, in opposition thereto, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the county of Botetourt, praying that part of the said county, by a line to begin at the head of Blackwater river, thence a straight course to the end of Pilot mountain, thence along the said mountain to the line of Botetourt, thence along that line to the Blue Ridge, thence along the said Ridge to the head of Shooting creek, may be added to the counties of Bedford and Henry, is reasonable.

The first and second resolutions being read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That a bill or bills be brought in pursuant to the said resolutions; and that the committee of Propositions and Grievances do prepare and bring in the same.

The third resolution being read a second time, and the question put, that the said resolution be recommitted to the same committee,

It was resolved in the affirmative.

Gen. Nelson presented, according to order, a bill, "to amend an act for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties," and the same was received and read the first time, and ordered to be read a second time.

Gen. Nelson presented, according to order, a bill, "to empower the Governor and Council to lay an embargo for a limited time," and the same was received and read the first time, and ordered to be read a second time.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill, "to extend the powers of the Governor and Council," and on the state of the Commonwealth, being read,

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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FRIDAY, October 23, 1778.

A bill, "to empower the Governor and Council to lay an embargo for a limited time," was read a second time, and ordered to be committed to a committee of the whole House immediately.

The House, according to order, immediately resolved itself into a committee of the whole House, on the said bill; and after some time spent therein; Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee



had, according to order, had the same under their consideration, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The Speaker laid before the House a letter from the Governor, inclosing one from the President of Congress, and several resolutions of that body.

And the said letters and resolutions being read,

*Ordered*, That the same be referred to a committee of the whole House on the state of the Commonwealth.

The Speaker laid before the House a letter from Patrick Ronaldson, inclosing a petition; setting forth, that he is confined as a prisoner of war to the limits of three miles, that he has proved his attachment to the cause of America in various instances, and praying relief in his present situation.

A motion was made and the question being put, that the said letter be referred to a committee,

It passed in the negative.

A petition of George Robertson, was presented to the House, and read; setting forth, that about the month of June, 1777, he embarked for England, and soon after arrived thither, that no other motive induced him to undertake such a voyage but the respect which he owed to an aged parent who lived there, and praying that the peculiarity of his situation may protect him from censure.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill, "to expel from this Commonwealth, and to prevent in future the return of persons who have shewn themselves inimical to the liberties of America."

Mr. Lee reported, from the committee of Public Claims, that the committee had, according to order, had under their consideration the petition of Edward Voss, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the said Edward Voss, praying to be allowed for a negro man slave, who was sentenced by the court of the county of Culpeper to be castrated for an attempt to ravish a white woman, of which operation he died, having been previously valued by the said court at 300*l.*, is reasonable; and that the petitioner ought to be allowed the said sum of 300*l.*, for the said slave.

*Ordered*, That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

A petition of several officers belonging to the regiment of State artillery; setting forth, that they conceive themselves injured by the Governor and Council appointing Captain De Klauman, who has not enlisted a single soldier, to take command of them who have enlisted their full quotas, and praying such redress as may be thought expedient.

Also a petition of Margaret Goodrich; setting forth, that the provision made for her support by the Governor and Council out of the estate of her husband John Goodrich, is become insufficient for her necessities, and praying that the same may be increased.

Also a petition of sundry inhabitants of the town of Hampton, and others; setting forth, that if the limits of the said town were extended it would become more populous, and trade might be carried on there to a great advantage; that Osgood Handburry, of the kingdom of Great Britain, from whom it is impossible now to purchase, owns land on both sides of Hampton river; and praying, that part of the same may be laid off in lots and some mode established for the sale of them.

Also a petition of Jane Miller; setting forth, that it is very inconvenient for her to furnish her husband, Alexander Miller, who is now a prisoner in the jail of Augusta county, with necessaries, on account of the great distance she lives from thence, and praying that he may be removed to the jail of Rockingham county.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the parish of Saint Paul, in the county of Hanover, was presented to the House, and read; setting forth, that the vestry of the said parish, who were elected under the former government, have in contempt of the choice of the people, invited a minister to take upon him the care of the said parish, when one was already acting in that office, who was agreeable to the general voice, that the said vestry are in possession of a considerable sum of money belonging to the said parish, and praying that the said vestry may be dissolved.

*Ordered*, That the said petition be referred to the committee of Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Messrs. Lawson, Teacle, Napier, Wilkinson, Hite, and Heard, be added to the committee of Propositions and Grievances; Mr. Lawson, to the committee for Courts of Justice; Messrs. McDowell, Bowyer, Napier, and Heard, to the committee of Public Claims; Mr. Teacle, to the committee of Trade, and Mr. Lawson, to the committee for Religion.

Mr. Cary reported, from the committee of Propositions and Grievances; that the committee had accordingly had under their consideration the petition of William Frazer, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and is as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the said William Frazer, praying that he

may be permitted to remove the warehouses called Quarles's, in the county of King William, to the land whereon he lives, as a more convenient place, is reasonable.

*Ordered*, That the said resolution do lie on the table.

The House being informed that Mr. Thompson Mason, one of the members for the county of Loudoun, attended in custody of the serjeant at arms,

*Ordered*, That the said Thompson Mason be discharged out of custody, paying fees.

A bill, "for adding part of the county of Buckingham to the county of Cumberland," was read a second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "for reviving several public warehouses for the inspection of tobacco," was read a second time, and ordered to be committed to a committee of the whole House, on Wednesday next.

A bill, "to amend an act, entitled 'an act for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties,'" was read a second time, and ordered to be committed to the committee of Propositions and Grievances.

The orders of the day for the House to resolve itself into a committee of the whole House, on the bill, "to extend the powers of the Governor and Council," and on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled 'an act for providing against invasions and insurrections,'" and that the committee of Propositions and Grievances do prepare and bring in the same.

And then the House adjourned till to-morrow morning, 10 o'clock.

### SATURDAY, October 24, 1778.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for furnishing the door keepers of the House of Delegates and of the Senate with a suit of clothes, respectively, without any amendments. And then he withdrew.

*Ordered*, That Mr. Kello have leave to be absent from the service of this House till Monday se'nnight.

Two petitions of sundry inhabitants of the counties of Norfolk, Princess Anne, and Nansemond, were presented to the House, and read; setting forth, that great danger is to be apprehended from those, who while they avow themselves subjects of the King of Great Britain, are suffered to remain in the said counties; and praying that such persons may be subjected to certain disabilities, and their evil designs guarded against.

*Ordered*, That the said petitions be referred to the committee appointed to prepare and bring in a bill, "to expel from this Commonwealth, and prevent in future the return of persons who have shewn themselves inimical to the liberties of America."

A petition of the inspectors of tobacco at South Quay warehouse, was presented to the House, and read; setting forth, that the salary appointed for their services, was settled at 25*l*. each, upon the presumption, that but little tobacco would be carried thither; that about 1300 hogsheads have been already received; and praying an increase of their allowance.

Also a petition of the inspectors of tobacco at Crutchfield's, Page's and Meriwether's warehouses; setting forth, that their salaries are by no means adequate to their services; and praying an augmentation thereof.

Also a petition of sundry inhabitants of the county of Westmoreland; setting forth, that by the late division of Westmoreland and King George counties, Mattox and Bray's warehouses are both in Westmoreland and not more than five or six miles asunder; and praying that they may be put under one inspection.

*Ordered*, That the said petitions be referred to the committee to whom is committed the bill, "for reviving several public warehouses for the inspection of tobacco."

General Nelson, presented according to order, a bill, "to expel from this Commonwealth, and to prevent the return of persons in future who have shown themselves inimical to the liberties of America."

A petition of John Feston, was presented to the House, and read; setting forth, that while a soldier in the continental service, he received a severe hurt in his side, whereupon he was discharged, and is now unable to procure money sufficient for defraying the expenses of travelling from hence to the place of his nativity; and praying such relief, as may be thought just and reasonable.

Also a petition of John and Bennett Tompkins; setting forth, that they have sustained great damage by the erection of public salt works on a tract of land belonging to them, lying in Gloucester county; and praying some satisfaction for the same.

*Ordered*, That the said petitions be referred to the committee of Public Claims, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Fleming, from the committee for Courts of Justice, to whom it was referred to inspect the Journals of last session, and to draw up a state of the matters then depending and undetermined, and the progress that was made therein, reported, that the committee had according to order, examined the same, and had agreed to a report, and come to a



resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth.

It appears to this committee, that on the 30th day of May last, on the House being informed that Mr. Isaac Avery, who, at the last election for the county of Northampton, was certified to be duly chosen a delegate for the same, was a minister of the church of England; it was resolved that the House would make an inquiry therein at the then next session of Assembly. Whereupon this committee have come to the following resolution:

*Resolved, that it is the opinion of this committee, That the said inquiry ought now to be made.*

*Ordered, That Messrs. Mason, Fleming, Bowyer and Wills, be added to the committee for Religion; Mr. Mason to the committee of Privileges and Elections; and Messrs. Mason and Saunders, to the committee of Propositions and Grievances.*

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act, to prevent swine going at large in the town of Mecklenburg, in the county of Berkeley.”

Also to the bill, entitled “an act, for preventing the further importation of slaves,” with several amendments, to which they desire the concurrence of this House. And then he withdrew.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had according to order, had under their consideration, the petition of divers inhabitants of the county of Bedford, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and being amended, was agreed to, as followeth:

*Resolved, that it is the opinion of this committee, That the petitions of divers inhabitants of the said county of Bedford, praying that the same may be divided into two distinct counties, by a line to begin at the lower end of Fleming's Mountain, on James river, thence a straight line to the mouth of Terrapin creek on Staunton river, is reasonable.*

*Ordered, That it be an instruction to the committee appointed to prepare and bring in a bill, “for forming a new county out of the upper end of Bedford and part of Henry county,” that they do receive a clause or clauses for the division of the county of Bedford.*

Mr. Lee reported, from the committee of Public Claims, that the committee had, according to order, had under their consideration the petition of Adam Stephen and Anthony Noble, to them referred, and had agreed upon a report, and come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

It appears to your committee, that a letter was written by his excellency the Governor to the Lieutenant of the county of Berkeley, directing him to furnish General M'Intosh with such number of his militia as the General should require.

It also appears, by a letter from General M'Intosh, that the Lieutenant of the said county of Berkeley was directed to furnish him with three hundred men, properly armed and accoutred.

It likewise appears, from the information of Col. Thomas Hite, of the said county of Berkeley, that upon the receipt of General M'Intosh's letter he called the militia together, and found that a considerable number of arms was wanting; that as the occasion was pressing and would not admit of sending to the Governor and Council for their direction, he applied to the petitioners, who accordingly furnished him with 75 stand of muskets, as many bayonets and scabbards, and also eight rifles, which are still in the possession of the militia under General M'Intosh.

Whereupon, your committee came to the following resolution:

*Resolved, that it is the opinion of this committee, That the petition of the said Adam Stephen and Anthony Noble, is reasonable; and that the petitioners ought to be allowed the sum of 590*l.* 12*s.* 6*d.* for the muskets, bayonets and scabbards, and the farther sum of 144*l.* for the rifles; and that the same ought to be charged in the account of this Commonwealth against the United States of America.*

*Ordered, That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.*

A petition of sundry inhabitants of the western frontiers of this Commonwealth, was presented to the House and read; setting forth, that they have settled on certain unappropriated lands lying on the western waters; and praying that the same may be confirmed to them.

*Ordered, That the said petition be referred to the committee appointed to prepare and bring in a bill, “for establishing a land office.”*

A petition of Alexander Purdie, the public printer, was presented to the House, and read; setting forth, that in the course of the last twelve months, he incurred a debt in the public store for paper, which was chiefly expended in the business of the country; that his presses are frequently out of order, and praying a remission of the said debt; and that the public blacksmith may be directed to make the necessary repairs to his said presses as occasion may require.

*Ordered, That the said petition be referred to Messrs. General Nelson, Page, Parker, N. Burwell, Lyne, Nicholas, and Meriwether; that they do examine the matter, and report the same, with their opinion thereupon, to the House.*

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills “to empower the Governor and Council to lay an embargo for a limited time,” and also “to extend the powers of the Governor and Council,” being read,

*Ordered, That the same be put off till Monday next.*

An engrossed bill, “to enlarge the powers of the trustees of the town of Manchester,” was read the third time.



*Resolved*, That the bill do pass, and the title be, "an act to enlarge the powers of the trustees of the town of Manchester."

*Ordered*, That Mr. Kello do carry the said bill to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Tuesday next.

A message from the Senate by Mr. Cabell:

Mr. SPEAKER,—The Senate have agreed to the bill, entitled "an act for establishing several new ferries, and other purposes."

Also to the resolution, respecting the receipt of partial payments of taxes by the treasurer; without any amendment. And then he withdrew.

And then the House adjourned till Monday morning, 10 o'clock.

### MONDAY, October 26, 1778.

Another member, having taken the oath required by law, took his seat in the House.

The House, being about to proceed to the consideration of the memorial of Richard Henderson and Company, and of the papers thereto relating,

*Ordered*, That a message be sent to the Senate, informing them thereof, and inviting them to take seats in the House, while the said memorial and papers are read, and arguments are offered at the bar, in supporting the same.

*Ordered*, That Mr. Lee do carry the said message to the Senate.

The House, according to the order of the day, proceeded in the presence of the Senate, to take under their consideration the memorial of Richard Henderson and Company, and the papers thereto relating, the said Henderson and his counsel having been previously admitted to the bar, and informed that they would be heard in support of their claims.

The House accordingly, made some progress in the consideration of the said memorial and the papers thereto relating; but there not being time to go through the same,

*Ordered*, That the farther consideration thereof be put off till to-morrow.

*Ordered*, That Mr. Meriwether have leave to be absent from the service of this House, until Monday se'nnight.

The House according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to empower the Governor and Council to lay an embargo for a limited time;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto; which he was ready to report, when the House shall think proper to receive them;

*Resolved*, That this House will receive the said report to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "to extend the powers of the Governor and Council," being read;

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That Mr. Taliaferro be added to the committees of Privileges and Elections and of Public Claims; and Mr. Trigg to the committee of Religion;

And then the House adjourned till to-morrow morning, 10 o'clock.

### TUESDAY, October 27, 1778.

The House being informed, that Mr. John Clayton, one of the members for the county of Charlotte, attended in custody of the serjeant at arms; and it appearing, that there was good cause to excuse his absence when the House was called over on the 7th of this month,

*Ordered*, That the said John Clayton be discharged out of custody, without paying fees.

*Ordered*, That Mr. Lyne have leave to be absent from the service of this House, until Saturday next.

The memorial of Thomas Walker, in behalf of himself and the Loyal Company, was presented to the House, and read; setting forth, that the said company obtained leave from the Governor and Council, during the existence of the British government here, to survey 800,000 acres of land, in one or more surveys, beginning on the boundary between Virginia and North Carolina, and running westwardly and north westwardly, so as to include such quantity; that the said company were at great trouble and expense in exploring the said lands; and praying that their titles may be confirmed to them.

*Ordered*, That the said memorial be referred to the committee of the whole House, on Friday next.

A petition of part of the inhabitants of the county of Yohogania, was presented to the House, and read; setting forth, that from the extensiveness of the said county, the administration of justice is inconvenient, expensive and dilatory.

tory; and praying that the same may be divided into two counties; and that the place for fixing the courthouses may be determined by the votes of the land-holders.

Also, a petition of James Kirk; setting forth, that it is of dangerous tendency to property, to suffer the trustees of the towns of Alexandria and Leesburg, to elect to vacancies in their own body; and praying that the right of such elections may be vested in the freeholders of the said town.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Goldsburly Hacket, was presented to the House, and read; setting forth, that thirty stand of fire arms belonging to him were pressed, though he was not unwilling to deliver them, for the use of Col. Joseph Hutchings' minute battalion, which have never been returned; and praying some satisfaction for the same.

Also, a petition of James Galt; setting forth, that he has been at considerable trouble and expense, in taking care of the lunatics as keeper of the hospital, and his salary from the increased price of every article of life, is become inadequate thereto; and praying an augmentation thereof.

Also, a petition of Cornelius Calvert; setting forth, that two pieces of cannon, commonly called three-pounders, belonging to him, were removed from his wharf to Col. Godfrey's plantation, by order of the committee of Norfolk borough; that the enemy discovered where they lay, and seized them; and praying that the same may be paid for by the public.

Also, a petition of Thomas Sullivan; setting forth, that being a soldier in the fifth Virginia regiment, he was inoculated for the smallpox; in consequence thereof a disorder hath fallen into his eyes, so as to deprive him of his sight, and disable him from getting his livelihood.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Cary, from the committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Botetourt, praying that all that part of the said county, lying within the following lines, to wit: beginning at the head of Blackwater river, thence a straight course to the end of Pilot mountain, thence along the said mountain to the line of Botetourt county, thence along the said line to the Blue Ridge, thence along the said Ridge to the head of Shooting creek, may be added to, and made part of the new county to be formed out of the counties of Bedford and Henry, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of William Frazer and Henry Fleet, praying that the public ferry called Fox's, in the county of King William, and Fleet's ferry on the opposite shore, in the county of King and Queen, may be discontinued, is reasonable.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill, "for forming a new county out of the counties of Bedford and Henry;" that they receive a clause or clauses to the purport of the first resolution;

*Ordered*, That a bill or bills, be brought in pursuant to the second resolution, and that the committee of Propositions and Grievances do prepare and bring in the same.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration the petition of John Feston, to them referred, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the said John Feston, late a soldier in the continental service, who having received a wound in the side from a wagon, which upset upon him whilst in the service, was by that means rendered unfit for duty, and therefore discharged, praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 15*l*. for his present relief, and a farther allowance of half pay as a soldier, for the term of two years; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Ordered*, That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

Mr. Terry, presented according to order, a bill, "to amend an act, entitled 'an act, for establishing a General Court, and for other purposes,'" and the same was received and read the first time, and ordered to be read a second time.

The House proceeded to take into consideration the amendments made by the Senate to the bill, entitled "an act for preventing the farther importation of slaves;" and the same being read, were agreed to by the House.

*Ordered*, That Mr. Fleming do acquaint the Senate therewith.

The Speaker laid before the House a letter from the Governor, enclosing another from the President of Congress and sundry resolutions of Congress; and the same were read, and ordered to be referred to a committee of the whole House, on the bill, "to extend the powers of the Governor and Council."

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fleming re-

ported, that the committee had, according to order, had the same under their consideration, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to, as followeth:

The iniquitous practice of many evil disposed and designing men in this Commonwealth, of forestalling and engrossing large quantities of grain and flour, that are absolutely necessary for the use of the French squadron and of the American army and navy, rendering it extremely difficult to support the same; and vigorous and timely exertions to prevent the fatal consequences that may arise from such iniquitous practice, being highly expedient,

*Resolved*, That the Governor, with the advice of the Council, ought to be empowered to appoint such persons as he shall think proper, to seize and take all grain and flour necessary for the support of the said squadron and American army, that may have been or shall be forestalled or engrossed by any person or persons within this Commonwealth, allowing for the same such prices as shall be affixed by three reputable freeholders upon their oath.

*Ordered*, That a bill or bills be brought in pursuant to the said resolution; and that Messrs. Fleming, Gen. Nelson, Mason, Nicholas, Parker, Page, and Lawson, do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to extend the powers of the Governor and Council;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same and made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill with the amendments, be engrossed and read a third time.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, October 28, 1778.

Two new members returned upon writs, having taken the oath required by law, took their seats in the House.

Gen. Nelson, from the committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the county of Spotsylvania, praying that the place for holding courts may be fixed near the centre of the said county, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the said county of Spotsylvania, in opposition thereto, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the county of Halifax, praying that the same may be divided into two distinct counties, by Dan river, from its confluence with Staunton, to the mouth of Banister, thence up that river to the mouth of Sandy creek, thence up that creek till it intersects the line dividing the counties of Halifax and Pittsylvania, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the said county of Halifax in opposition thereto, is reasonable.

*Ordered*, That the committee of Propositions and Grievances do prepare and bring in a bill pursuant to the first resolution.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act to enlarge the powers of the trustees of the town of Manchester;"

And also, to the resolution of this House for appointing James Innes, Esq. a commissioner of the Navy, in the room of James Maxwell, Esq. who hath resigned. And then he withdrew.

Mr. Carter from the committee of the whole House, reported, according to order, the amendments made to the bill "to empower the Governor and Council to lay an embargo for a limited time," which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended, were agreed to by the House.

*Ordered*, That the said bill with the amendments, be engrossed and read a third time.

General Nelson, presented according to order, a bill, "for forming a new county out of the counties of Bedford and Henry, and for dividing the county of Bedford;" and the same was received and read the first time, and ordered to be read a second time.

A memorial of William Preston and William Thompson, was presented to the House, and read; setting forth, that they are the acting executors of the last will and testament of James Patton, deceased, that their testator obtained a grant from the former Governor and Council for a considerable quantity of land; that he received repeated assurances from them that patents should issue for the same, as he had complied with every requisition of government, which however never were issued; and praying that the title of their said testator may be confirmed.

*Ordered*, That the said memorial be referred to the committee of Propositions and Grievances; that they do examine the matter, and report the same, with their opinion thereupon, to the House.



*Ordered*, That Mr. Southall have leave to be absent from the service of this House, till Monday se'night.

*Ordered*, That a message be sent to the Senate, informing them that there is a mistake in the copy of a resolution sent them for paying Stephen and Noble a sum of money; and delivering them a true copy thereof.

*Ordered*, That Mr. Nicholas do carry the said message to the Senate.

Mr. Fleming presented, according to order, the bill, "to enable the Governor and Council to supply the armies and navies of the United States, and of our allies, with grain and flour," and the same was received and read the first time, and ordered to be read a second time.

A bill, "to enable the Governor and Council to supply the armies and navies of the United States, and of our allies with grain and flour," was read a second time, and ordered to be committed to a committee of the whole House, to-morrow.

A petition of George Muter was presented to the House and read; setting forth, that he was at considerable expense in preventing the brig *Liberty*, which belonged to this Commonwealth, from falling into the hands of the enemy, and in landing her cargo, and praying to be reimbursed for the same.

Also, a petition of John White; setting forth, while he was a lieutenant in Col. Bland's regiment of cavalry, his horse was stolen from him by a deserter and carried in to the enemy, and praying that he may receive compensation for the same.

Also, a petition of John Stadler; setting forth, that at the time of his accepting of the office of engineer, he supposed that his services would have been confined to one station, and therefore, made no requisition for an allowance for travelling expenses; that he has since been called upon to take the batteries of York and Hampton under his direction, and has spent a considerable sum of money in passing between those places and Portsmouth, where he is stationed.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same with their opinion thereupon, to the House.

The House proceeded to take into their farther consideration the memorial of Richard Henderson and Company; but there not being time to go through the same,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That a committee be appointed to search for, and collect from the public records, such papers and documents as may serve to throw a light on the subject of the memorial of Richard Henderson and Company;

And a committee was accordingly appointed, of Messrs. Mason, Boyer, General Nelson, Cary, Hite, Trigg, McDowell and Tazewell.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for paying a sum of money to Adam Stephen and Anthony Noble, with an amendment, to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate have agreed to two resolutions of this House, for allowing certain sums of money to Edward Voss and Catlett Jones. And then he withdrew.

Mr. Lee, from the committee of Public Claims reported, that the committee had, according to order, had under their consideration the petition of James Campbell, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the said James Campbell, who, in consequence of a requisition of Congress, entered as a lieutenant in Capt. George Scott's company of volunteers, under the command of Col. Thruston, and in an engagement with the enemy near Piscataway in the Jerseys, received a wound in his left arm, which fractured the bone, by means whereof he is rendered incapable of procuring a livelihood for himself and family, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and a farther allowance of half pay as a soldier during life, from the 15th day of April 1777; and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

*Ordered*, That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

A motion was made that the House come to the following resolution, to wit:

The very extravagant prices of all commodities making it impossible that the officers in the continental service can subsist upon the pay allowed by Congress; and it being highly improper and unjust, that they should spend their fortunes, as well as risk their lives, in the defence of their country:

*Resolved*, That one year's pay be advanced out of the treasury, to every officer of the Virginia line now in the service; and that the Governor be desired to remit the same, in such manner as he, with the advice of the Council, shall think proper.

*Ordered*, That the said resolution do lie on the table.

The Speaker laid before the House, a letter from the Governor, informing him that agreeable to a resolution of this House, the Journal of the proceedings of the Council Board, was laid before the House,

*Ordered*, That the said Journal do lie on the table, to be perused by the members.

An engrossed bill, "to extend the powers of the Governor and Council," was read the third time.

*Resolved*, That the said bill do pass, and that the title be, "an act to extend the powers of the Governor and Council."

*Ordered*, That Mr. Carter do carry the said bill to the Senate, and desire their concurrence.

The House proceeded to take into their consideration the amendments made by the Senate to the bill, entitled "an act, to enlarge the powers of the trustees of the town of Manchester;" and the same being read, were agreed to by the House.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

A bill, "to expel from this Commonwealth, and to prevent in future the return of persons who have shewn themselves inimical to the liberties of America," was read a second time, and ordered to be committed to a committee of the whole House, on Monday next.

A bill, "to amend an act, entitled 'an act for establishing a General Court and other purposes,'" was read a second time, and ordered to be committed to a committee of the whole House, on Thursday se'nnight.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for relieving several public warehouses for the inspection of tobacco," and on the state of the Commonwealth, being read;

*Ordered*, That the same be put off till to-morrow.

And then House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, October 29, 1778.

An engrossed bill, "to empower the Governor and Council to lay an embargo for a limited time," was read a third time, and the blanks therein filled up.

*Ordered*, That the said bill do pass, and that the title be, "an act, to empower the Governor and Council to lay an embargo for a limited time."

*Ordered*, That Mr. Parker do carry the said bill to the Senate and desire their concurrence.

*Ordered*, That Mr. Underwood have leave to be absent from the service of this House, till next Wednesday fortnight; General Nelson till Monday fortnight; and Mr. Smith of Richmond, till this day fortnight.

*Ordered*, That Messrs. Mason, Fleming and Brent, be added to the committee of Privileges and Elections; Mr. Mason to the committee for Courts of Justice; and Mr. Brent to the committee of Propositions and Grievances.

A bill "for forming a new county out of the upper end of Bedford and part of Henry county, and for the dividing the said county of Bedford," was read a second time, and ordered to be committed to the committee of Propositions and Grievances;

*Ordered*, That a committee be appointed to inquire into the services of the several officers attending the General Court, and report the same, with their opinion what will be a proper compensation to each of them.

And a committee was appointed, of Messrs. Mason, Parker, Tazewell and Tyler.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

1. *Resolved*, that it is the opinion of this committee, That the petition of John Madison, whose horse was impressed by one Jones, an express from Congress to the Governor of this State, and died, is reasonable; and that the petitioner ought to be allowed 60*l*. for the said horse, being the sum to which he was valued; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

2. *Resolved*, that it is the opinion of this committee, That the petition of David Blanks, late an artificer under Captain House, in the regiment of State artillery, who in getting some timbers for gun carriages, injured his right hand in such a manner as to render him unfit for that duty, was therefore discharged, and is at present incapable of getting a livelihood by labor is reasonable, and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and a farther allowance of half pay as an artificer for the term of three years.

3. *Resolved*, that it is the opinion of this committee, That the petition of Matthew Marable ought to be referred to the consideration of the next session of Assembly.

4. *Resolved*, that it is the opinion of this committee, That the petition of John Goff; setting forth, that two horses belonging to him were impressed for the Cherokee expedition in 1776, which he has never received, nor any satisfaction for them; and praying to be allowed the appraised value thereof, is reasonable, and that the petitioner ought to be allowed 20*l*. for the said horses, being the sum to which they were appraised.

5. *Resolved*, that it is the opinion of this committee, That the petition of Stephen Terry, a soldier in the third Virginia regiment, who was wounded in his right shoulder in the battle at Brandywine, whereby his arm is rendered almost useless, is reasonable; and that the petitioner ought to be allowed full pay as a soldier for the term of three years (he having formerly received 25*l*. for his immediate relief,) and that the same ought to be charged in the account of this Commonwealth against the United States of America.

6. *Resolved*, that it is the opinion of this committee, That the petition of John Britt, praying an allowance for his trouble and expense in removing his son, a soldier in the fourth Virginia regiment, who lay sick at Portsmouth, to his house in the county of Southampton, and for nursing and maintaining him from the first of September to the first of April following, when he joined his regiment at the northward, and soon afterwards died, is reasonable; and that the



petitioner ought to be allowed the sum of 1*l.* 5*s.*, for his trouble and expense in removing his son, and also a farther allowance of 10*d.* per day, for 212 days, amounting to the sum of 8*l.* 16*s.* 8*d.*, for nursing and maintaining him; and that the aforesaid sums ought to be charged in the account of this Commonwealth against the United States of America.

The 1*st*, 2*d*, and 4*th* resolutions being read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the 1*st*, 2*d*, and 4*th* resolutions to the Senate, and desire their concurrence.

A motion was made, and the question put, that the 5*th* and 6*th* resolutions be recommitted to the same committee, It was resolved in the affirmative.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying the sum of 5*l.* 10*s.* 10*d.* to Spencer Thaddeus Branham; of 100*l.* to Christopher Harwood; of 30*l.* for present relief, and full pay as a soldier, for the term of three years, to Joseph Sandige; of 30*l.* to Joshua Hawkins; of 12*l.* 19*s.* 2*d.* to Lawrence Gillock; of 11*l.* 7*s.* 6*d.* to Joseph Thomas; of 4*l.* 1*s.* 8*d.* to Daniel Thornton; of 30*l.* for present relief, and one year's pay as a soldier, to James Berry; and of 30*l.* to Isaiah Barnes, without an amendment.

The Senate have also agreed to the resolutions of this House, for paying the sum of 10*l.* to Charles Allen; of 30*l.* for present relief, and full pay as a soldier, during life, to Thomas Brown; of 15*l.* for present relief, and full pay as a soldier, during life, to William Jones; and of 30*l.* for present relief, and 3*s.* per day for three years, from the 25*th* day of October, 1777, to Stephen Fisher; with several amendments thereto, to which they desire the concurrence of this House. And then he withdrew.

Mr. Carter, from the committee of Privileges and Elections, reported that the committee had, according to order, examined several certificates of the election of delegates, compared the same with the form prescribed by law, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the certificates of the election of delegates to serve in this present General Assembly for the counties of Berkeley, Buckingham, Elizabeth City, Fluvanna, Frederick, Kentucky, Loudoun, Nausmond, Prince William, Shenandoah, Spotsylvania, Warwick and Yohogania, are made in the form prescribed by law.

Mr. Carter also reported, that it appeared to the said committee, from the certificate of Foushee Tebbs, sheriff of the county of Prince William, that the election of delegates for the said county, was held on Munday the fourth day of May last.

*Ordered*, That the said certificate do lie on the table.

*Ordered*, That it be an instruction to the committee, to whom the bill is committed, for forming a new county out of the counties of Henry and Bedford, and for dividing the said county of Bedford, to receive a clause or clauses, for dividing the parish of Russell, and forming a new parish out of that part of Russell, lying to the south of Staunton river, and part of the parish of Camden, in the county of Henry; and for selling the glebe of the parish of Russell, and laying out the money in the purchase of other glebes.

Mr. G. Carrington, presented according to order, a bill, "for dividing the parish of Campden and Amberst, and for other purposes;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

1. *Resolved*, that it is the opinion of this committee, That the petition of William Schofield, a soldier in Capt. Ball's company of the fifth Virginia regiment, who received a wound in the knee at the battle at Germantown, and now lies in a helpless state, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of full pay as a soldier for one year, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

2. *Resolved*, that it is the opinion of this committee, That the petition of William Francis, a soldier in Capt. McGuire's company in Col. Grayson's regiment, who from a paralytic disorder, brought on him by severe duty, was discharged the service, and is at present unable to get a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of full pay as a soldier for the term of three years, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

3. *Resolved*, that it is the opinion of this committee, That the petition of George Pettit, a soldier in the ninth Virginia regiment, who in consequence of a wound which he received in the battle at Germantown, had his left arm cut off a little below the elbow, by which means he is rendered incapable of getting a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of half pay as a soldier during life, from the 19*th* day of June, 1778, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

4. *Resolved*, that it is the opinion of this committee, That the petition of Nicholas Parker; setting forth, that his son Nicholas Parker, an ensign in the fourth Virginia regiment, was taken sick at Leesburg, on his march to join General Washington, and there died after a tedious illness; that there being no physician in the public service at or near that place to apply to, he was under the necessity of employing Doctor Coutsman, of that neighbourhood, who



attended and furnished him medicines during his illness, for which, as well as his son's board, the petitioner incurred considerable expense, and praying to be reimbursed, is reasonable; and that the petitioner ought to be paid the sum of 25*l.* 4*s.* 3*d.* for his said son's board, and also the farther sum of 18*l.* 5*s.* for the expense of the physician; and that the aforesaid sums ought to be charged in the account of this Commonwealth against the United States of America.

5. *Resolved, that it is the opinion of this committee,* That the petition of William Campbell, jun.; setting forth, that among others he was summoned to guard John Goodrich on his removal from Botetourt to Bedford jail, that on his return his horse received a wound in his side from the shaft of a chair, of which he died, and praying to be allowed the valuation thereof, is reasonable; and that the petitioner ought to be allowed the sum of 45*l.* for the said horse.

6. *Resolved, that it is the opinion of this committee,* That the petition of Richard Stephens, jun. of the county of Loudoun, praying the reward allowed by law, for apprehending Joseph Hadley, a horse stealer, who was tried and condemned for that offence, is reasonable; and that the petitioner ought to be allowed the sum of 20*l.* for the same.

7. *Resolved, that it is the opinion of this committee,* That the petition of John Buford, a soldier in Captain Scruggs's company, praying to be allowed the value of his rifle, which was stolen from him while encamped at Mackie's mill on their way to Portsmouth, in 1776, is reasonable; and that the petitioner ought to be allowed the sum of 10*l.* 15*s.* for the said rifle.

8. *Resolved, that it is the opinion of this committee,* That the petition of Thomas Sullivan, a soldier in the 5th Virginia regiment, who, in consequence of being inoculated for the smallpox while in the service, hath a disorder in his eyes which has almost deprived him of his sight, and rendered him incapable of getting his livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of half pay as a soldier during life, from the second day of January, 1778; and that the allowance of half pay during life ought to be charged in the account of this Commonwealth against the United States of America.

9. *Resolved, that it is the opinion of this committee,* That the petition Col. Muter and Col. Moeballe, praying to be allowed the sum of 52*l.* being the balance of the expenses incurred by them in saving the brig Liberty with cargo, &c. belonging to this State, and for which they have given their joint bond to Mr. King, payable on or before the first day of December next, is reasonable; and that the petitioners ought to be paid by the public the said sum of 52*l.* to enable them to discharge the said bond.

10. *Resolved, that it is the opinion of this committee,* That the petition of Henry Peadleton, whose wagon and team were taken and employed in transporting the baggage, &c. of Capt. Yancy's company of the Culpeper militia, when on their march to join Gen. Washington; and on their return, one of the horses, valued at 20*l.*, died at York Town in Pennsylvania, is reasonable; and that the petitioner ought to be allowed the sum of 20*l.* for the said horse, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

The said resolutions were read a second time, and the question being put, that they be recommitted to the same committee,

It was resolved in the affirmative.

*Ordered,* That leave be given to bring in a bill, "to amend an act, entitled 'an act to restrain the operations of the act for limitation of actions and recording deeds in certain cases;' and that Mr. Tazewell do prepare and bring in the same.

*Ordered,* That a committee be appointed to examine the treasurer's accounts.

And a committee was appointed, of Messrs. Fleming, Lawson, G. Carrington, Parker, Talbot, King, Cary, Pride, W. Watkins, Nourse, Pickett, and Thomas Hite.

*Ordered,* That a message be sent to the Senate, to acquaint them that this House hath appointed a committee to examine the treasurer's accounts, and that if they please to appoint a committee of their House for that purpose, both committees may proceed to do the business together.

*Ordered,* That Mr. Fleming do carry the said message.

*Ordered,* That leave be given to bring in a bill, "to supply the inhabitants of this Commonwealth with salt on reasonable terms;" and that Mr. Mason do prepare and bring in the same.

Mr. Mason, from the committee appointed to inquire into the services of the several officers attending the General Court, and report the same, with their opinion what will be a proper compensation to each of them, reported, that the committee had, according to order, inquired into the same, and had agreed upon a report and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

It appears to your committee, that Benjamin Carter Waller, hath already been fully paid by the public for all the services he hath performed.

That Adam Craig hath acted as assistant clerk of the General Court during the term of eight months, during which term he hath been obliged to ride to Richmond, in order to collect and send down all the papers and records necessary for the General Court, and has been obliged to attend in the clerk's office day by day during the said term, and has also attended the General Court twelve days in March court, two days in June court, and twenty days in October court.

That James Sheilds, sheriff of York; Matthew Moody, crier; and John Fenton, tipstaff; attended the said court, during the whole time of their setting, at the aforesaid March, June and October sessions; and that the said Matthew Moody also attended two several Courts of Oyer and Terminer held by the Council of this State, previously to the establishment of the General Court.

*Resolved, that it is the opinion of this committee,* That Adam Craig, assistant clerk of the General Court, be allowed for his services the sum of 120l.

That James Shields, sheriff of York county, be allowed the sum of 75l. for his services.

That Matthew Moody, crier, be allowed for his services the sum of 100l.; and

That John Fenton, tipstaff, be allowed for his services the sum of 41l. 10s.

*Ordered,* That Mr. Mason do carry the said resolution to the Senate, and desire their concurrence.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill "to enable the delegates of this Commonwealth in Congress, to support themselves with dignity," being read,

*Ordered,* That the same be put off till Tuesday next.

The orders of the day for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and on the bill, "for reviving several public warehouses for the inspection of tobacco;" and also, on the bill "to enable the Governor and Council to supply the armies and navies of the United States, and of our Allies, with grain and flour," being read,

*Ordered,* That the same be put off till to-morrow.

A petition of Thomas Noland and Josias Clapham, was presented to the House, and read; setting forth, that the roads to Clapham's ferry on Potomac river, are with great difficulty kept in repair; that it would be more convenient to passengers to establish one on the land of the said Noland about a mile higher up the said river; and praying that the same may take place.

Also, a petition of John Minor; setting forth, that he is sheriff of the county of Loudoun, and his fees are paid off at 12s. 6d. for every hundred pounds of tobacco; and praying that the rate for discharging his tobacco fees, may be increased.

Also, a petition of sundry purchasers of lands under the grant of the Loyal Company; setting forth, that they are content to hold their several purchases on the terms stipulated with the said company; that they are in possession of, and have improved the land which they have thus bought; and praying that their titles may be confirmed to them.

Also, a memorial of Thomas Walker, in behalf of himself and the representatives of Peter Jefferson and Thomas Meriwether, deceased; setting forth, that Mr. Gray, Mr. Ashford Hughes, and others, obtained a grant from the Governor and Council, bearing date the 7th of May, 1748, for ten thousand acres of land, lying on the waters of New river; that soon afterwards the said grantees assigned their right to the lands therein mentioned to Thomas Meriwether, David Meriwether, Peter Jefferson, and your memorialist, who, in consequence thereof, have surveyed and sold eight thousand five hundred and forty-four acres of the said land, which is now chiefly settled; and praying that he may be allowed to survey the residue of the said land mentioned in the said order, being 1,456 acres, and empowered to convey the same to the purchasers.

Also, a petition of sundry inhabitants of the county of Loudoun; setting forth, that it would be of general advantage to establish a ferry across Potomac river, from the lands of the Earl of Tankerville, now in the possession of Christopher Slimmer; and praying that the same may be erected.

*Ordered,* That the said petitions and memorial be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Furbusts Turner, was presented to the House, and read; setting forth, that a schooner belonging to him, was impressed by the commander of the 9th regiment, to transport the said regiment to the Head of Elk; that the said schooner on her return was taken by the enemy; that he has received no satisfaction for the hire or loss of the said vessel, and praying that compensation may be made him for the same.

Also, a petition of Thomas Wilson; setting forth, that he was one of the party that accompanied Captain Linne to New Orleans, that his health being impaired by the severity of the service he deputed one Pollock to receive his allowance for the same in Williamsburg, that the said Pollock lost what he received on the account of the petitioner, by his pocket book having been stolen from him, that the said Pollock is since dead, and has left no estate behind him, and praying that he may be reimbursed the same by the public.

Also, a petition of George Keesle; setting forth, that a negro man slave belonging to him, who was under sentence of death, made his escape out of jail the night preceding the day appointed for his execution, that the said slave, upon refusing to surrender to a party who went in quest of him, was shot dead on the spot, and praying that he may be allowed the valuation of the Court.

Also, a petition of Amos Durham; setting forth, that he took care of a continental soldier belonging to the North Carolina troops, who lay sick at his house for ten weeks, at great trouble and expense, and praying some compensation for the same.

Also, a petition of James Cureton; setting forth, that he was a soldier in Col. Bland's regiment of light dragoons, and received a wound in one of his hands and breast at a battle near Amboy, which has disabled him from getting his livelihood, and praying such relief as may be thought reasonable.

*Ordered,* That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of some of the people called seceding Presbyterians, was presented to the House, and read; setting forth, that they have a conscientious scruple against kissing the book which contains the holy Evangelists when called upon to take an oath, and praying that holding up of the right hand, and solemnly swearing, be substituted in its stead.



*Ordered*, That the said petition be referred to the committee for Religion, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of Richard Henderson and Company, was presented to the House, and read; setting forth, that they do not contend for a jurisdiction independent of Virginia, but have proposed, ever since the establishment of the Commonwealth, to surrender the greatest part of the country purchased by them from the Cherokees to this State, in consideration of the protection they should derive from the same, that they conceive that the only question is, whether the title obtained by them from the Cherokees is sufficient to convey the right of property, and they do admit that by the treaty of fort Stanwix, the six nations did cede all the lands eastward of the river Ohio, above the mouth of the Cherokee river, to the crown of Great Britain; but that it is not the intention of the memorialists to be bound by any concessions which they now make or heretofore have made, should this House refer the final decision of the dispute from themselves to a court of judicature.

*Ordered*, That the said memorial do lie on the table, to be perused by the members of the House.

The House resumed the consideration of the motion made yesterday, for advancing one year's pay to the officers of the Virginia line in the continental service, which was then ordered to lie on the table.

A motion was made, and the question being put, that the House come to said resolution,

It passed in the negative.

And then the House adjourned till to-morrow morning, 10 o'clock.

### FRIDAY, October 30, 1778.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the bills, “to empower the Governor and Council to lay an embargo for a limited time;” and also “to extend the powers of the Governor and Council,” with several amendments thereto, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to take into consideration the amendments, made by the Senate to the said bills; and the same being read, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Fleming do acquaint the Senate therewith.

The House resumed their consideration of the memorial of Richard Henderson and Company, and the papers thereto relating, and heard the exhibits and arguments of counsel in favor of their claim; but there not being time to go through the same,

*Ordered*, That the farther consideration thereof be put off till to-morrow.

Mr. Mason, presented according to order, a bill, “to supply the inhabitants of this Commonwealth with salt upon reasonable terms;” and the same was received and read the first time, and ordered to be read a second time.

A petition of Paul Loyal, James Taylor, John Hutchings and Matthew Phripp, executors of Col. Joseph Hutchings, deceased, was presented to the House, and read; setting forth, that the Masons’ Hall in the borough of Norfolk was burnt by order of Convention; for finishing of which, the said Loyal, Taylor, and the estate of the said Joseph Hutchings, are subject to the payment of a considerable sum of money; and praying that the valuation of the said Hall may be paid them by the public, or at least that they may be indemnified for the money which they owe for completing the same.

Also, a petition of Joanna Tucker; setting forth, that she was possessed of a considerable quantity of household and kitchen furniture, which was consumed with the town of Norfolk; and praying such compensation as may be thought just and reasonable.

*Ordered*, That the said petitions be referred to the committee appointed to examine the report of the commissioners for ascertaining the losses of the late inhabitants of Norfolk; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Thomas Parramore, was presented to the House, and read; setting forth, that his negro man slave Aaron, was apprehended in attempting to join Lord Dunmore; that in consequence thereof he was ordered to the lead mines by the committee of Safety, where he now is; that the petitioner is desirous that the said slave should be restored to him; and praying that he may accordingly be returned, and the value of his labor at the lead mines may be paid the petitioner.

Also, a petition of James Taylor; setting forth, that in the year 1776, three male slaves and a considerable quantity of stock, were by order of Convention removed from the county of Norfolk; that after the reversal of the said order, the petitioner’s friends applied for the delivery of the said slaves and stock, that the latter were never returned to him, and two of the said slaves died before he received them; and praying some satisfaction for the same.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of the late members of the court of directors of the hospital for the reception of idiots, lunatics, and persons of insane and disordered minds, was presented to the House, and read; setting forth, that the last act of Assembly which continued their powers, expired with the May session in this present year; that the necessity of the



case induced them to act, notwithstanding; that they propose to lay their proceedings before the Assembly for their approbation, and that the provision made for the support of the patients is very inadequate thereto.

*Ordered*, That the said memorial be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The orders of the day for the House to resolve itself into a committee of the whole House, on the petition of Thomas Walker in behalf of himself and the Loyal Company, and on the bill, "to enable the Governor and Council to supply the armies and navies of the United States, and of our Allies, with grain and flour," being read,

*Ordered*, That the same be put off till Monday next.

Another order of the day for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill, "for reviving several public warehouses for the inspection of tobacco," being read,

*Ordered*, That the same be put off till Tuesday next.

*Ordered*, That leave be given to bring in a bill, "to establish the town of Martinsburg in the county of Berkeley," and that Mr. Thomas Hite do prepare and bring in the same.

Mr. Cary, from the committee of Propositions and Grievances, reported that the committee had, according to order, had under their consideration the petition of sundry inhabitants of the county of Yohogania; praying that the same may be divided into two distinct counties, to them referred, and had come to a resolution thereupon, which he read in his place and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the farther consideration of the said petition be deferred till the next session of Assembly.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, October 31, 1778.

The House being informed that Mr. John Nash, one of the members for the county of Prince Edward, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence when the House was called over on the seventh of this month,

*Ordered*, That the said John Nash be discharged out of custody, without paying fees.

A bill, "to supply the inhabitants of this Commonwealth with salt upon reasonable terms," was read a second time, and ordered to be committed to a committee of the whole House, immediately.

The House accordingly resolved itself into a committee of the whole House, upon the said bill, and after some time spent therein, Mr. Speaker resumed the chair; and Mr. Carter reported, that the committee had according to order, had the said bill, under their consideration, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House, on the said bill.

*Ordered*, That Mr. Cary have leave to be absent from the service of this House, till Thursday next.

Mr. Lee, from the committee of Public Claims, reported, that the said committee, to whom sundry resolutions were recommended, have accordingly had the same under their farther consideration and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of William Schofield, a soldier in Captain Ball's company of the 5th Virginia regiment, who received a wound in the knee in the battle at German town, and now lies in a helpless state, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and a farther allowance of half pay as a soldier for the term of two years; and that the allowance of half pay for two years ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That petition of William Francis, a soldier in Captain Guire's company, in Col. Grayson's regiment, who, from a paralytic disorder brought on him by severe duty, was discharged the service, and is at present unable to get a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and a farther allowance of half pay as a soldier for the term of three years; and that the allowance of half pay for three years ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved*, that it is the opinion of this committee, That the petition of George Pettit, a soldier in the 9th Virginia regiment, who, in consequence of a wound which he received in the battle at German town, had his left arm cut off a little below his elbow, by which means he is rendered incapable of getting a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and a farther allowance of half pay as a

soldier during life, from the 19th day of June, 1778; and that the allowance of half pay during life, ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved, that it is the opinion of this committee,* That so much of the petition of Nicholas Parker, that prays to be reimbursed the sum of 25*l.* 4*s.* 3*d.*, which he paid for the board of his son, an ensign in the 4th Virginia regiment, while sick at Leesburg, then on his way to join Gen. Washington, be rejected.

*Resolved, that it is the opinion of this committee,* That such other parts of the said petition, as prays to be reimbursed the expense of the physician, is reasonable; and that the petitioner ought to be allowed the same, amounting to the sum of 18*l.* 5*s.*; and that it ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved, that it is the opinion of this committee,* That the petition of William Campbell, jun.; setting forth, that he among others was summoned to guard John Goodrich on his removal from Botetourt to Bedford jail; that on his return his horse received a wound in the side from the shaft of a chair, of which he died; and praying to be allowed the valuation thereof, is reasonable; and that the petitioner ought to be allowed the sum of 45*l.* for the said horse.

*Resolved, that it is the opinion of this committee,* That the petition of Richard Stephens, jun. of the county of Loudoun, praying the reward allowed by law for apprehending Joseph Hadley, a horse stealer, who was tried and condemned for that offence, is reasonable; and that the petitioner ought to be allowed the sum of 20*l.* for the same.

*Resolved, that it is the opinion of this committee,* That the petition of John Buford, a soldier in Capt. Scruggs's company, praying to be allowed the value of his rifle, which was stolen from him while encamped at Mackie's mill, on their way to Portsmouth, in 1776, is reasonable; and that the petitioner ought to be allowed the sum of 10*l.* 15*s.* for the said rifle.

*Resolved, that it is the opinion of this committee,* That the petition of Thomas Sullivan, a soldier in the 5th Virginia regiment, who, in consequence of being inoculated for the smallpox while in the service, hath a disorder in his eyes which has almost deprived him of his sight, and rendered him incapable of getting his livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of half pay as a soldier during life, from the 2d day of January, 1778, and that the allowance of half pay during life, ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved, that it is the opinion of this committee,* That the petition of Col. Muter and Col. Moebelle, praying to be allowed the sum of 52*l.*, being the balance of the expenses incurred by them in saving the brig Liberty with her cargo, &c. belonging to this State, and for which they have given their joint bond to Mr. King, payable on or before the first day of December next, is reasonable; and that the petitioners ought to be paid by the public the said sum of 52*l.*, to enable them to discharge the said bond.

*Resolved, that it is the opinion of this committee,* That the petition of Henry Pendleton, whose wagon and team were taken and employed in transporting the baggage of Capt. Yancy's company of the Culpeper militia, when on their march to join Gen. Washington, and on their return one of the horses, valued at 20*l.*, died at York Town, in Pennsylvania, is reasonable; and that the petitioner ought to be allowed the sum of 20*l.* for the said horse, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Ordered,* That Mr. Lee do carry the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th, 10th and 11th resolutions to the Senate, and desire their concurrence.

A petition of divers planters and merchants, inhabitants at and near the principal tobacco warehouses on James River; setting forth, that as the tobacco law now stands, the proprietors of inspected tobacco are without any security for the delivery of it; the former credit of the tobacco notes is greatly lessened, a door is opened to embezzlement and fraud, and a number of law suits and disputes must necessarily follow; and praying that the said law may be altered so as to prevent those evils.

*Ordered,* That the said petition be referred to the committee of the whole House, on the bill "for reviving several public warehouses for the inspection of tobacco."

A petition of John Goode, was presented to the House, and read; setting forth, that he furnished medicine and took care of four soldiers of Capt. Roger Thompson's company of minute men, who went from Williamsburg sick, in the month of August, 1776; and praying an allowance for the same.

*Ordered,* That the said petition be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered,* That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.



MONDAY, November 2, 1778.

Another member, having taken the oath required by law, took his seat in the House.

*Ordered*, That Mr. Peachy be added to the committee for examining the treasurer's accounts.

A bill, "for dividing the parishes of Campden and Amherst, and for other purposes," was read a second time, and ordered to be committed to the committee for Religion.

A petition of John Wilson was presented to the House, and read; setting forth, that Will, a negro man slave, was aiding and abetting Josiah Phillips and his accomplices, in the perpetration of their wicked and traitorous actions; that the said slave struck such terror into the inhabitants of the counties of Norfolk and Princess Anne, that the petitioner was induced to offer a reward of 100*l*. to any person who should put him to death; that one Zadock Dailey did accordingly kill him, whereby the country was saved from the expense of sending troops to quell the insurgents; and praying that the said 100*l*. may be repaid him by the public.

Also, a petition of John Wilson and others; setting forth, that some of the petitioners, and those whom the others represent, being engaged in the defence of the western frontiers in September, 1777, were fired on by a number of Indians, when half of the party were killed on the spot, and many of their guns and blankets thereby lost, and praying some compensation for the same.

Also, a petition of Frederick Moss and James Johnson; setting forth, that they were impressed as guards to conduct Thomas Potter, Randolph Boush, and Robert Williamson, criminals from Halifax county to the public jail; that they spent six pounds each in their journey; and praying to be reimbursed for the same, and paid for their trouble.

Also, a petition of John Boram, William Robertson and Frederick Moss; setting forth, that the sheriff of Halifax impressed a horse from each of them for the purpose of conveying Thomas Potter, Randolph Boush and Robert Williamson, criminals from Halifax county, to the public jail; that they have received no satisfaction for the same; and praying that such allowance may be made them respectively as may be thought just and reasonable.

Also, a petition of Elijah Estes; setting forth, that being a soldier in the 6th Virginia regiment, he was dangerously wounded in the left arm and shoulder in the battle at Brandywine, and rendered unable to procure a livelihood by his own labor; and praying such relief as may be thought reasonable.

Also, a petition of Gilmon Lane; setting forth, that he was a soldier in the service of Virginia, in the year 1776, that he caught a fever which raged in the 5th Virginia regiment, while it was stationed at Portsmouth, and was at considerable expense in effecting his recovery; and praying to be reimbursed for the same.

*Ordered*, That the said petitions be referred to the committee of Public Claims, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Cuthbert Bullitt, was presented to the House, and read; setting forth, that he is proprietor of a tract of land near the Warm Springs in the county of Botetourt; that a town there would be of general advantage; and praying that the same may be established.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to enable the Governor and Council to supply the armies and navies of the United States, and of our Allies, with grain and flour;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. G. Carrington reported that the committee had, according to order, had the said bill under their consideration, and had gone through the same, but made no amendments thereto.

*Ordered*, That the said bill be engrossed, and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to supply the inhabitants of this Commonwealth with salt on reasonable terms;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Nicholas reported, that the committee had according to order, had the said bill under their farther consideration and had gone through the same and made several amendments thereto, which he read in his place and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended were agreed to.

*Ordered*, That the said bill with the amendments be engrossed and read the third time.

The Speaker laid before the House a letter from the Governor, stating several matters for the consideration of the General Assembly, and enclosing a state of the proceedings of the Governor and Council, in supplying the army with necessities, together with the instructions given to Mr. John Moss, who was sent to camp to superintend the distribution thereof; and the said letter and instructions were read.

*Ordered*, That the said letter, instructions and proceedings, be referred to the committee of the whole House, on the state of the Commonwealth.

The Speaker also laid before the House, another letter from the Governor, enclosing several others from Col. Muter, Capt. Callender, and certain persons just arrived at Hampton from New York with a flag of truce.

And the said letters were read.

*Ordered*, That the said letters be referred to a special committee; that they do retire immediately and examine the matter thereof, and report the same with their opinion thereupon, to the House.

And a committee was appointed, of Messrs. Nicholas, Lee, Lawson, G. Carrington, Washington, Parker, Lyne, Talbot, Bowyer, Wilkinson, Mayo, Peachy, Brent, Ruffin, Tabb, Winslow, Taliaferro, and Burr Harrison.



The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "to expel from this Commonwealth, and prevent the return in future of such persons as have shown themselves inimical to the liberties of America," and on the state of the Commonwealth, being read;

*Ordered*, That that the same be put off till to-morrow.

And then the House adjourned till to-morrow, 10 o'clock.

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TUESDAY, November 3, 1778.

Mr. Hite presented, according to order, a bill, "for establishing the town of Martinsburg in the county of Berkeley, and for other purposes;" and the same was received, and read the first time, and ordered to be read a second time.

A memorial of the general and field officers of the Virginia troops in the continental service was presented to the House, and read; setting forth, that they are entitled to certain proportions of land under the resolutions of Congress and acts of Assembly of Virginia, according to their respective ranks; that they conceive they shall be essentially injured, if indiscriminate license is allowed the inhabitants of the Commonwealth at large to take up vacant lands as they please; that the soldiers are also entitled to certain allowances, too small to make a settlement for a family, and will profit them very little, unless an easy mode be adopted for securing their rights, and such rights are made assignable for valuable considerations and under proper restrictions; and praying that a sufficient tract of country may be reserved for the use of the officers and soldiers.

*Ordered*, That the said memorial be referred to a special committee, that they do examine the matter thereof, and report the same with their opinion thereupon, to the House.

And a committee was appointed, of Messrs. Lawson, Lyne, Elliott, Mason, Burr Harrison, Ruffin, Talbot, Kello, Pickett, Nourse, Clapham, Strother, Moore, Bowyer, Peachy, and T. Hite.

A petition of sundry inhabitants of the parish of Manchester, was presented to the House, and read; setting forth, that the vestrymen of the said parish, have for many months past declined the execution of their office; that the said parish is without a minister, owing to their neglect to take proper steps to invite one into it; and praying that the said vestry may be dissolved.

*Ordered*, That the said petition be referred to the committee for Religion, that they do examine the matter thereof, and report the same with their opinion thereupon, to the House.

Another member having taken the oath required by law, took his seat in the House.

A petition of Joseph Bybee, was presented to the House, and read; setting forth, that he was a soldier in the 7th Virginia regiment, and was engaged in the battle at Brandywine, where he received a ball through his leg, which has disabled him from getting his livelihood, and praying relief.

Also, a petition of Amy Barrett; setting forth, that her husband, Jonathan Barrett, entered on board the brig Raleigh, an armed vessel in the service of this Commonwealth, as master, and was taken by the enemy and carried to New York where he died, after having lain in jail for twelve months, leaving the petitioner and two small children; and praying such relief as may be thought reasonable.

*Ordered*, That the said petitions be referred to the committee of Public Claims, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Nicholas, from the committee to whom it was referred to examine the matter of certain letters from sundry persons on board of a flag from New York, lying at Hampton, reported that the committee had, according to order, examined the same, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as follows:

Your committee have, according to order, had under their consideration his excellency the Governor's letter of the 2d of November, together with sundry other letters to them referred; and it appears to your committee, that Charles Mortimer, late of the town of Fredericksburg, in the county of Spotsylvania, left this State early in the year 1775, in order to go to Great Britain and Ireland, as well to settle his private affairs as to transact business for sundry gentlemen in this Commonwealth, with a professed intention of returning hither so soon as he had accomplished the purpose for which he went; this committee hath reason to believe that the said Charles Mortimer, whilst in Britain shewed a friendly regard to the American prisoners in confinement there, and supplied several of them with money when in great distress.

It appears also to the said committee, that the said Charles Mortimer, hath an estate both real and personal, and a wife and children in this State, and that he is now in Hampton roads, waiting for permission to return to his estate and family; and it does not appear that the said Charles Mortimer, is unfriendly to this State and the rights and liberties of America.

That Alexander Trent, son of Alexander Trent of Cumberland county, has been many years in Great Britain, sent there by his father for his education, and is now in Hampton roads praying to be received by his country.

That Elizabeth Muir, came over from Great Britain with a design to visit and reside with her two brothers in Alexandria, who have discovered the strongest attachment to this Commonwealth.

That John Debutts, a native of Ireland, left the State of Maryland in April, 1775, where he has a wife and family and a considerable real and personal estate, in order to settle some family affairs in Ireland; and it appears to this committee that he has proved himself a friend to the cause of liberty and to the State to which he belongs, is now in Hampton roads and desires to be admitted to return to the said State.

That James Gilchrist, Isaac Heslop, Hardin Burnly, Robert Cowan, William M'Whan, Alexander Buchanan, James M'Dowal, Thomas Mitchell, John Patterson and Alexander Campbell, are unfriendly to the rights and liberties of America:

Whereupon, your committee came to the following resolutions:

*Resolved*, that it is the opinion of this committee, That Charles Mortimer and Alexander Trent, be received into this Commonwealth, and that they take the oath of fidelity within twelve hours after their landing at Hampton.

*Resolved*, that it is the opinion of this committee, That Elizabeth Muir, ought to be permitted to reside in this State.

*Resolved*, that it is the opinion of this committee, That John Debutts be permitted to pass through this State to Maryland, he having first taken the oath of fidelity to the United States of America, within twelve hours after his landing at Hampton.

*Resolved*, that it is the opinion of this committee, That James Gilchrist, Isaac Heslop, Hardin Burnly, Robert Cowan, William M'Whan, Alexander Buchanan, James M'Dowal, Thomas Mitchell, John Patterson and Alexander Campbell, be not admitted into this State, and that his excellency the Governor be requested to give orders to the flag that brought them to Hampton roads immediately depart this State with the said passengers.

*Ordered*, That Mr. Nicholas do carry the said resolutions to the Senate, and desire their concurrence.

An engrossed bill, "to supply the inhabitants of this Commonwealth with salt on reasonable terms," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to supply the inhabitants of this Commonwealth with salt on reasonable terms."

*Ordered*, That Mr. Mason do carry the said bill to the Senate, and desire their concurrence.

An engrossed bill, "to enable the Governor and Council to supply the Armies and Navies of the United States, and our Allies, with grain and flour;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, to enable the Governor and Council to supply the Armies and Navies of the United States, and their Allies, with grain and flour."

*Ordered*, That Mr. Fleming do carry the said bill to the Senate, and desire their concurrence.

The Speaker laid before the House a letter from the Governor, enclosing another from his excellency Gen. Washington, and a return of the Virginia troops in the continental service.

And the said letters and return were read.

*Ordered*, That they be referred to a committee of the whole House on the state of the Commonwealth.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and on the bill, "to enable the delegates of this Commonwealth in Congress to support themselves with dignity," being read,

*Ordered*, That the same be put off till to-morrow.

Another order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for reviving several public warehouses for the inspection of tobacco," being read,

*Ordered*, That the same be put off till Friday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "to expel from this Commonwealth, and prevent the return in future, of such persons as have shewn themselves inimical to the liberties of America," being read,

*Ordered*, That the same be put off till Monday next.

*Ordered*, That the Speaker be desired to issue his writ for the election of a delegate for the county of Norfolk, in the of room John Wilson, Esq., who, since his election, hath accepted the office of a collector of the taxes.

*Ordered*, That the memorial of Thomas Walker, in behalf of himself and the Loyal Company, be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, November 4, 1778.

*Ordered*, That the public printer do forthwith print one hundred copies of the act, "to empower the Governor and Council to lay an embargo for a limited time," for the use of the several naval officers within this Commonwealth.

*Resolved*, That on a call of the House the doors shall not be shut against any of the members, until their names be once called.

*Ordered*, That the said resolution be a standing order of the House.



*Ordered*, That Mr. Lomax have leave to be absent from the service of this House until the end of the session; Mr. Ruffin, till Monday next; and Mr. Lyne, till this day fortnight.

*Resolved*, That a committee be appointed to inquire into the state of the public prison, the manner in which the prisoners are treated, and the allowance that is made for their maintenance.

And a committee was appointed, of Messrs. Page, Kello, Benjamin Harrison, Norvell, Avery, Field, and Mayo. Mr. Nicholas presented, according to order, a bill, "to empower the treasurer to borrow a further sum of money;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Tyler presented, according to order, a bill, "to amend an act entitled 'an act for raising a supply of money for public exigencies,'" and the same was received and read the first time, and ordered to be read a second time.

The House proposing to resume the consideration of the memorial of Richard Henderson and Company, and the papers thereto relating;

*Ordered*, That a message be sent to the Senate acquainting them therewith, and inviting them to take seats in this House, during the arguments of the counsel in support of the said memorial.

*Ordered*, That Mr. Lee do carry the said message to the Senate.

The said Richard Henderson and his counsel being admitted to the bar, they were informed, that this House would hear such farther arguments in support of the said memorial, as they might have to offer.

The arguments of the counsel having been heard, the House came to the following resolutions:

*Resolved*, That all purchases of lands made or to be made of the Indians, within the chartered boundaries of this Commonwealth, as described by the constitution or form of government, by any private persons not authorized by public authority, are void.

*Resolved*, That the purchases heretofore made by Richard Henderson and Company, of that tract of land called Transylvania, within this Commonwealth, of the Cherokee Indians, is void; but as the said Richard Henderson and Company have been at very great expense in making the said purchases and in settling the said lands, by which this Commonwealth are like to receive great advantage, by increasing its inhabitants and establishing a barrier against the Indians, it is just and reasonable to allow the said Richard Henderson and Company a compensation for their trouble and expense.

*Resolved*, That a committee be appointed to consider what compensation it may be just and reasonable to allow Richard Henderson and Company, for the services rendered this Commonwealth in quieting the minds of the Cherokee Indians, and in settling many families upon that tract of land in the back country, commonly called Transylvania.

*Ordered*, That Mr. Mason do carry the first and second resolutions to the Senate, and desire their concurrence.

*Ordered*, That a committee be appointed pursuant to the third resolution; and a committee was appointed, of Messrs. Mason, Tazewell, Bowyer, T. Hite, Lawson, Page, Campbell, Parker, A. Hite, Todd, Fleming, John Cannon, Kello, McDowell, Trigg, Tyler, Nourse, Mayo, Nash, Burr Harrison, and Hardy, any seven of whom may make a committee.

*Ordered*, That Mr. Nash be added to the committee for Religion, of Propositions and Grievances, and of Public Claims.

A memorial of James Wood, colonel of the eighth Virginia regiment, was presented to the House, and read; setting forth, that the Virginia troops in the continental service, have suffered much for want of necessities; that in cases of sickness, the officers are subjected to great expense, as they have no alternative but going to a common hospital, or extravagant boarding houses, owing to the want of wine, sugar, tea, coffee and those things which are proper for sick people; that brigade sutlers would be highly advantageous to the army, and praying that the premises may be taken into consideration.

*Ordered*, That the said memorial be referred to the committee to whom the memorial of the general and field officers is referred; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Leanna Hutchings, was presented to the House, and read; setting forth, that Will, a negro man slave, belonging to the estate of her late husband, was apprehended in attempting to escape to the enemy; that she is informed, that the said slave has been employed in consequence of such attempt, in the service of the State; and praying that he may be restored to her, as the guardian of her son William Hutchings, or that such other relief may be granted, as may seem just.

Also, a petition of David Gass; setting forth, that he was appointed and acted as a lieutenant in Captain Boone's company employed in the defence of the frontiers, for a considerable time, for which he has received no pay; and praying that some allowance may be made him.

Also, a petition of David Clarkson; setting forth, that his wagon and team were impressed in September, 1777, to attend Captain Joseph Haden's company of militia, from Fluvanna to Williamsburg; that he has received only ten shillings per day for the hire of them; and praying an additional allowance.

Also, a petition of Elizabeth Harrup; setting forth, that she has two sons now in the service; and her husband, who was a private, fell in the battle at Brandywine; that the court of the county where she lives, do not conceive themselves authorised to make her any allowance; and praying relief.

Also, a petition of Joseph Braden; setting forth, that in the year 1777, he had a horse impressed into the continental service, which has never been returned, nor any satisfaction made to him for the same; and praying that the sum of 22*l.* to which the said horse was appraised, may be paid him.



*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Carter, presented according to order a bill, "to discontinue several ferries," and the same was received and read the first time, and ordered to be read a second time.

Mr. Carter, presented according to order, a bill, "for altering the place for holding courts in the county of Spotsylvania," and the same was received and read the first time, and ordered to be read a second time.

A memorial of William Fleming; setting forth, the parochial business of Botetourt is wholly neglected, and the poor unprovided for; that a majority of the inhabitants being averse to the established church, a proper vestry cannot be chosen; and praying that the care of the poor may be assigned to the county court.

*Ordered*, That the said memorial be referred to the committee for Religion, that they do examine the matter thereof, and report the same with their opinion thereupon, to the House.

A petition of James Kirk, was presented to the House, and read; setting forth, that in March last, Captain Cunningham, an officer in the continental service, impressed from the petitioner for the use of his company, a barrel of gin; and praying to be paid for the same by the public.

A motion was made, and the question being put, that the said petition be referred to a committee, It passed in the negative.

A petition of the inhabitants of the county of Southampton, was presented to the House, and read; setting forth, that they are put to great expense in maintaining the necessary bridges in the said county, all of which have been totally destroyed by the late freshes; that if they should be now burthened with the charge of rebuilding them, they must be ruined; and praying that they may be permitted to take toll from such persons as shall pass at the bridge to be erected over Nottoway river, near the courthouse.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the bill, "for forming a new county out of the counties of Bedford and Henry," to them committed, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read.

A motion was made, and the question being put, that the said bill be recommitted to the same committee, It was resolved in the affirmative.

The orders of the day for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and on the bill, "to enable the delegates of this Commonwealth to support themselves with dignity," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, November 5, 1778.

*Ordered*, That Mr. Carter have leave to be absent from the service of this House, till Thursday next; Mr. Peachy, till Wednesday se'nnight; and Mr. Avery and Mr. Teacle, for the remainder of the session.

*Ordered*, That a committee be appointed to confer with James Wood, Esq. colonel of the 8th Virginia regiment, and receive such information from him, as he can give, on the subject of the Virginia troops in the continental service, and report the same to the House.

And a committee was appointed of Messrs. Page, Parker, Mason, Tazewell and Nelson.

*Ordered*, That leave be given to bring in a bill "for appointing commissioners to adjust the claims to unpatented lands within this Commonwealth," in order that legal titles may be made to the same, and that Messrs. T. Hite, Mason, Tazewell, John Cannon, Todd, Wright, Wilson of Pittsylvania, Tyler, and Nicholas, do prepare and bring in the same.

A petition of William Woodford, John Taliaferro, John Lewis, and Samuel Washington, was presented to the House and read; setting forth, that they severally intermarried with the daughters of John Thornton, gentleman, late of the county of Caroline; that the wife of the said Lewis is dead, leaving an only daughter, named Milley, as well as the wife of the said Washington, who has left a son, named Thornton; that the said John Thornton died intestate, leaving a considerable estate in lands, which descended to the wives of the said Woodford and Taliaferro, and the said Milley Lewis and Thornton Washington, as co-heirs; that a division of the lands among the co-heirs, would, if the same could immediately be effected, increase the value thereof, and it would be greatly for their benefit and advantage, if the same were to be sold, and the proportion of each arising from such sale laid out in other lands; and praying that an act may pass for the purposes aforesaid.

*Ordered*, That a bill be brought in pursuant to the prayer of the said petition, and that Messrs. Fleming, Parker, and Mason, do prepare and bring in the same.

Mr. Lee reported, from the committee of Public Claims, that the committee had, according to order, had under their consideration sundry petitions to them referred, and also the petition of John Edwards to them recommitted,

and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended, were agreed to, as followeth:

1. *Resolved, that it is the opinion of this committee,* That the petition of James Cureton, a soldier in the 1st Virginia regiment of light dragoons, under the command of Col. Bland, who in an engagement near Amboy, received a wound in his hand and breast, whereby he is rendered incapable of getting a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of half pay as a soldier during life; and that the allowance of half pay during life ought to be charged in the account of this Commonwealth against the United States of America.

2. *Resolved, that it is the opinion of this committee,* That the petition of Samuel Ingram, a soldier in Capt. Buchanan's company, under the command of Col. Bowman, who among others, being fired upon by a party of Indians, in ambush, received a wound in his breast, whereby he is rendered incapable of getting a livelihood by labor, and hath incurred considerable expense for a doctor's attendance, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, together with half pay as a soldier for the term of four years; and also, the farther sum of 40*l.* to reimburse him the expense of the doctor.

3. *Resolved, that it is the opinion of this committee,* That the petition of Rebecca Coleman; setting forth, that her son, while a soldier in the service of the United States, was seized with a bilious fever and died at the house of Martha Hodges, in Henrico county: that she hath paid the sum of 7*l.* 4*s.* for board and other expenses incurred during his illness, and praying to be reimbursed the same, is reasonable; and that the petitioner ought to be allowed the sum of 7*l.* 4*s.* to reimburse her the said expenses, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

4. *Resolved, that it is the opinion of this committee,* That the petition of Thomas Wilson, praying to be repaid a certain sum of money allowed him by the public, which by his order was put in the hands of John Polk to convey to him, and in crossing the river Monongalia was lost, he rejected.

5. *Resolved, that it is the opinion of this committee,* That the petition of John Payne, jun., whose chair and harness were impressed for the purpose of conveying John Goodrich from Bedford courthouse to Williamsburg, and much injured in that service, is reasonable; and that the petitioner ought to be allowed the sum of 10*l.* 15*s.* over and above the sum for which the said chair and harness were sold.

6. *Resolved, that it is the opinion of this committee,* That the petition of Lieutenant John Williams, Saml. Pickins, Samuel Livingston, Daniel Tolly, George Surmerman, Patrick Riley, Samuel Allen, and Edward Worthington; setting forth, that they were ordered by Col. Bowman to convey a quantity of salt to the Salt Lick, for the use of the garrisons in the county of Kentucky; and that on their return up the river to Harrodsburg, the canoe they were in together with several rifles, ammunition and other valuable articles, the property of the petitioners, sunk and were lost; and praying to be paid for the same, is reasonable; and that the following allowances ought to be made the several petitioners for the same, to wit: to John Williams, 20*l.*; Samuel Pickens, 12*l.* 15*s.*; Samuel Livingston, 15*l.* 10*s.*; Daniel Tolly, 8*l.* 11*s.*; George Surmerman, 10*l.* 18*s.*; Patrick Riley, 1*l.* 12*s.*; Samuel Allen, 12*l.* 16*s.*; and Edward Worthington, 12*s.*

7. *Resolved, that it is the opinion of this committee,* That the petition of James Taylor; setting forth, that in consequence of an order of the general convention for the removal of the male slaves and stocks of different kinds from the counties of Princess Anne and Norfolk, to the interior parts of this State, two of the petitioner's slaves were taken from his plantation, removed to the Great Bridge, and employed in throwing up intrenchments, and died in that service; that nineteen head of sheep, and nine of cattle, were likewise taken and driven to Kemp's Landing, which he hath never received nor any satisfaction for them, and praying compensation, is reasonable; and that the petitioner ought to be allowed and paid by the public 110*l.* for the slaves, 9*l.* 10*s.* for the sheep, and 18*l.* for the cattle.

8. *Resolved, that it is the opinion of this committee,* That the petition of Gilmon Lane, a soldier of the 5th Virginia regiment, praying to be reimbursed the expenses incurred by him for board, nursing and physician's attendance while sick at Hampton and Fredericksburg, being then in the service of the United States, is reasonable; and that the petitioner ought to be reimbursed the said expenses amounting to the sum of 12*l.* 9*s.* 9*d.*; and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

9. *Resolved, that it is the opinion of this committee,* That the petition of Elijah Estes, a soldier in Captain Towle's company of the 6th Virginia regiment, who in the battle at Brandywine received a wound in the left arm and shoulder, which has rendered him incapable, at present, of getting a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of half pay as a soldier for the term of three years; and that the allowance of half pay for three years ought to be charged in the account of this Commonwealth against the United States of America.

10. *Resolved, that it is the opinion of this committee,* That the petition of George Keessell, praying to be allowed for his negro man slave Will, who was sentenced to be hanged for murder, but previous to the day of execution made his escape out of jail and was afterwards shot in being retaken, is reasonable; and that the petitioner ought to be paid by the public 225*l.* for the said slave, being the sum to which the Court of the county of Rockingham valued him.

11. *Resolved, that it is the opinion of this committee,* That the petition of Archibald Compton, a soldier in Captain Meade's company of the 2d Virginia regiment, who in the battle at Germantown, received a wound in one of his knees, whereby he was rendered unfit for duty, and is at present incapable of getting a livelihood by labor, is reasonable;



and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of half pay as a soldier during life; and that the allowance of half pay during life ought to be charged in the account of this Commonwealth against the United States of America.

12. *Resolved, that it is the opinion of this committee,* That the petition of John Stadler, an engineer employed in the service of this State, praying to be allowed his travelling expenses necessarily incurred by superintending the several fortifications at Portsmouth, Hampton and York, is reasonable; and that the petitioner ought to be allowed the sum of 83*l.* 6*s.* 9*d.* to reimburse him the said expenses.

13. *Resolved, that it is the opinion of this committee,* That the petition of John Edwards, praying to be allowed for a mare impressed for the purpose of conveying a criminal to the public jail, and lost by the sheriff, is reasonable; and that he ought to be allowed the sum of 33*l.* for the same.

*Ordered,* That Mr. Lee do carry the said resolutions, the 4th excepted, to the Senate, and desire their concurrence.

Mr. Carter reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration the case of Mr. Isaac Avery, a delegate for the county of Northampton, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved, that it is the opinion of this committee,* That the said Isaac Avery, was capable of being elected a delegate for the said county of Northampton, he not being a minister of the Gospel.

A memorial of Mr. William Aylett, late agent and commissary of stores for this State, was presented to the House, and read; setting forth, that he has been prevented by several important public concerns, from laying his accounts before this House until this day; that he has received no satisfaction for his trouble, since his resignation; that he wishes to satisfy the Assembly, that the suggestion of having made an unwarrantable profit out of the officers and soldiers upon the articles furnished them, is groundless; and that a committee may be appointed to inquire into the same; and praying that the premises may be taken into consideration.

*Ordered,* That the said memorial and accounts be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered,* That a committee be appointed to examine the enrolled bills.

And a committee was appointed, of Messrs. Kello, Page, Tazewell, Parker, Tyler and Mayo.

A petition of John Jarrett, was presented to the House, and read; setting forth, that he had a cart and oxen employed in the service of the Commonwealth; that one of the oxen died while engaged therein from the heat of the weather, and praying to be paid for the same.

Also, a petition of Abraham Aaron; setting forth, that he repaired several guns, and furnished necessities for the use of Capt. Donelson's company of militia, on their march against the Indians in June last, and has received no satisfaction for the same; and praying to be allowed the sum of 27*l.* 5*s.* in consideration thereof.

Also, a petition of William Montague; setting forth, that his negro man slave, Bristol, having been taken in attempting to escape to the enemy in the year 1776, has been ever since employed in the service of the Commonwealth; that a yawl belonging to the petitioner was found in his possession, and detained for the public use, but has not been returned; and praying that the said slave may be restored to him, with an allowance for his hire, and the value of the boat.

*Ordered,* That the said petitions be referred to the committee of Public Claims, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of William Bland, was presented to the House, and read; setting forth, that his present salary, as ordinary of Newgate is no more than 50*l.*, whereas it formerly was 60*l.* sterling; and praying an augmentation thereof.

Also, a petition of the inhabitants of the county of Princess Anne; setting forth, that the present situation of the courthouse is very inconvenient to them, and praying that a new one may be built at Kemp's landing.

Also, a petition of John Chowning; setting forth, that he was appointed by the court of the county of Lancaster, ferry-keeper on the north side of Rappahannock river, opposite to Urbama; and praying the ferry may be established from Urbama to the land of the petitioner, and that the ferriage may be increased.

*Ordered,* That the said memorial and petitions, be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered,* That Mr. Synne, be added to the committees for Religion, of Privileges and Elections, and Propositions and Grievances; and Messrs. Shelton and Clapham, to the committee appointed to examine the treasurer's accounts.

A bill, "for establishing the town of Martinsburg in the county of Berkeley, and for other purposes," was read a second time, and ordered to be committed to Mr. T. Hite.

A bill, "to empower the treasurer to borrow a farther sum of money," was read a second time, and ordered to be committed to a committee of the whole House, on Saturday next.

A bill, "to amend an act, entitled 'an act for raising a supply of money for public exigencies,'" was read a second time, and ordered to be committed to a committee of the whole House, on Thursday next.

*Ordered,* That leave be given to bring in a bill, "to amend an act, entitled 'an act for the better regulating and collecting certain officers fees,' and other purposes therein mentioned," and that Mr. Kello do prepare and bring in the same.



Mr. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration the bill, "for dividing the parishes of Campden and Amherst, and for other purposes," and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to,

*Ordered*, That the said bill with the amendments be engrossed and read a third time.

A bill, "for altering the place for holding courts in the county of Spotsylvania," was read the second time, and ordered to be engrossed and read a third time.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill, "to amend an act, entitled 'an act for establishing a General Court,' and other purposes," being read,

*Ordered*, That the same be put off till Monday next.

The order of the day for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill, "to enable the delegates of this Commonwealth in Congress, to support themselves with dignity," being read,

*Ordered*, That the same, be put off till Saturday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### FRIDAY, November 6, 1778.

A petition of Samuel Woods, was presented to the House, and read; setting forth, that an indentured servant man, belonging to him, enlisted and was received into the service of this Commonwealth in the year 1777; and praying some satisfaction for the same.

Also, a petition of James Thornton; setting forth, that his son a soldier in the continental service on the Virginia line who was shot through the body in the battle at Brandywine, and brought him home and nursed him at his own expense for a considerable time; and praying some compensation for the same.

Also, a petition of Richard Johnson; setting forth, that while he acted as major of the Caroline minute battalion, in November 1775, he paid the sum of 7*l.* 10*s.* for forage, and 2*l.* 2*s.* for a drum, which was lost; and praying to be reimbursed the aforesaid sum of 9*l.* 12*s.*

Also, a petition of Nathaniel Henderson; setting forth, that he was at considerable expense in May last, in travelling to Williamsburg, in order to procure ammunition for the defence of Kentucky; and praying some compensation for the same.

Also, a petition of Southey Simpson; setting forth, that being employed by the Navy Board to superintend the building of two galleys in Accomac county, he has advanced the sum of 500*l.* out of his own purse, in order to forward the work; and praying to be repaid by the public.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same with their opinion thereupon, to the House.

Mr. T. Hite reported, from the committee to whom the bill, "for establishing the town of Martinsburg in the county of Berkeley, and for other purposes," was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered*, That the said bill with the amendments, be engrossed, and read the third time.

Mr. Cary reported, from the committee of Propositions and Grievances, to whom the bill "for forming a new county out of the upper end of Bedford and part of Henry county," was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended were agreed to.

*Ordered*, That the said bill with the amendments be engrossed and read the third time.

An engrossed bill, "for altering the place of holding courts in the county of Spotsylvania," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act for altering the place of holding courts in the county of Spotsylvania."

*Ordered*, That Mr. Cary do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for dividing the parishes Camden and Amherst, and for other purposes," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act for dividing the parishes of Camden and Amherst, and for other purposes."

*Ordered*, That Mr. G. Carrington do carry the bill to the Senate, and desire their concurrence.

A petition of the freeholders and inhabitants of the county of Goochland, was presented to the House, and read; setting forth, that they are apprehensive that a petition will be offered to the House for adding a part of Fluvanna to

their county, and have no objection thereto, if a line therein described should be established; and praying that the premises may be taken into consideration.

Also, a petition of William Harris; setting forth, that he has surveyed twenty-nine tracts of land in the county of Bedford, but through misfortune is unable to pay the office fees, and praying that he may be permitted to dispose thereof by lottery.

A motion was made, and questions being severally put, that the said petitions be referred to a committee, It passed in the negative.

A petition of Henry Downes, and others, was presented to the House, and read; setting forth, that they were prevented from surveying a grant of 50,000 acres of land which they received from the Council, by an Indian war in the first instance, and the proclamation of his Britannic Majesty in the next, and praying that the said grant may be confirmed.

Also, a petition of the freeholders and inhabitants of Goochland county; setting forth, that they apprehend that a petition will be preferred to the Assembly for adding a part of Fluvanna to their county; that they are wholly averse to such a measure; but should it be forced upon them, their county would be much injured, unless a line therein described should be established; and praying that the premises may be taken into consideration.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That it be an instruction to the committee of Propositions and Grievances, to whom the petitions respecting the dissolution of the county of Fluvanna are referred, that they make a special report thereof.

*Ordered*, That leave be given to bring in a bill, "to alter the court day of the county of Pittsylvania," and that Mr. Wilson of Pittsylvania do prepare and bring in the same.

Mr. Cary reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the memorial of the executors of James Patton, deceased, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and ordered to be recommitted to the same committee.

Mr. Cary, from the committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration the petitions of sundry inhabitants of the counties of Culpeper and Orange, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Culpeper, praying that the owners of mills on the rivers Rappadan and Robertson, may be compelled to make openings through their dams at least twenty feet wide to the bottom of the rivers, and to keep the same open from the first day of March, to the 20th day of May, annually, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the counties of Culpeper and Orange, praying that the act of Assembly, entitled "an act to oblige the owners of mills on the river Rappadan to make openings or slopes in their mill dams for the passage of fish" may be repealed, is reasonable.

The first resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

The second resolution being read a second time, was ordered to be recommitted to the same committee, who are to make a special report thereupon.

Mr. Lee, from the committee of Public Claims reported, that the committee had, according to order, had under their consideration, several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read and agreed to, as followeth:

1. *Resolved*, that it is the opinion of this committee, That the petition of John Wilson and others, who were part of the militia ordered out by Gen. Hand, from the county of Hampshire, under the command of Captain William Forman, in defence of the western frontiers, praying to be allowed for the loss of their guns, blankets, powder horns and pouches, in an engagement with the Indians in the month of September, 1777, is reasonable; and that there ought to be allowed to the petitioners, the several sums following, to wit, John Wilson, 9*l.* 10*s.*; Solomon Jones, 1*l.* 10*s.*; Abraham Powell, 2*l.*; Samuel Lowery, 1*l.* 10*s.*; Anthony Miller, 1*l.* 10*s.*; the representatives of William Forman, 11*l.*; of Edward Peterson, 11*l.*; of Benjamin Powell, 14*l.* 15*s.*; of Samuel Johnson, 10*l.*; of Isaac Harness, 12*l.*; of Jacob Pugh, 10*l.*; of Elisha Shivers, 7*l.*; of Robert McGrew, 1*l.* 10*s.*; of Henry River, 1*l.* 10*s.*; and of Bartholomew Vincy, 1*l.* 10*s.*; and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

2. *Resolved*, that it is the opinion of this committee, That the petition of Richard James, praying to be allowed commissions on an execution, levied by him as sheriff of the county of Cumberland in the year 1774, on William Smith, a former sheriff of the said county, for arrears of quit rents, there being at that time no law empowering him to demand the same, be rejected.

3. *Resolved*, that it is the opinion of this committee, That the petition of Cornelius Calvert, praying to be allowed for two pieces of cannon, which by order of the committee of Norfolk borough, were removed from his wharf to prevent their falling into the hands of the enemy, but were afterwards found and carried off by them, be rejected.

4. *Resolved*, that it is the opinion of this committee, That the petition of John and Bennett Tompkins, praying to be allowed the valuation of a certain piece of land in the county of Gloucester, whereon the public salt works are erected, be rejected.



5. *Resolved, that it is the opinion of this committee,* That the petition of Goldsbury Hackett, praying to be allowed for thirty muskets with bayonets which were taken from him by order of Col. Joseph Hutchings commander of a minute battalion at Norfolk, and applied to the use of the country, is reasonable; and that the petitioner ought to be allowed the sum of 141*l.* for the same.

6. *Resolved, that it is the opinion of this committee,* That the petition of Elizabeth Harrup; setting forth, that her husband who was a soldier in Captain Mason's company of the fifteenth Virginia regiment, received a wound in the battle at Brandywine, of which he died, leaving the petitioner and three small children in distressed circumstances, and praying relief, is reasonable; and that there ought to be allowed and paid to the justices of the court of the county of Brunswick for the time being, the sum of 30*l.* to be by them applied to the relief of the said petitioner and her children.

7. *Resolved, that it is the opinion of this committee,* That the petition of Frederick Moss and James Johnson, praying to be allowed for guarding Thomas Potter, Randolph Boush and Robert Williamson, criminals from the jail of Halifax county to the public jail, and to be reimbursed their travelling expenses, is reasonable; and that the petitioners ought to be allowed each the sum of 11*l.* 15*s.* for their services and expenses.

8. *Resolved, that it is the opinion of this committee,* That the petition of John Boram, William Robertson and Frederick Moss; praying to be allowed for the use of their horses, which were impressed for the purpose of conveying Thomas Potter, Randolph Boush and Robert Williamson, criminals from the jail of the county of Halifax to the public jail, is reasonable; and that the petitioners ought to be allowed each the sum of 1*l.* 10*s.* for the same.

9. *Resolved, that it is the opinion of this committee,* That the petition of James Wallace Bailey, praying to be allowed the valuation of his slave Robin, who was sentenced by the court of the county of King William to be hanged for felony, but previous to the day of execution broke jail, got on board one of the enemy's ships and escaped to New-York, where it is said he died of the smallpox, is reasonable; and that the petitioner ought to be allowed 90*l.* for the said slave, being the sum to which he was valued by the said court.

The 1st, 2d, 3d, 5th, 6th, 7th, 8th and 9th resolutions, being read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That Mr. Lee do carry the 1st, 5th, 6th, 7th, 8th and 9th resolutions to the Senate, and desire their concurrence.

The fourth resolution being read a second time, was ordered to be recommitted to the same committee.

*Ordered,* That there be a call of the House to-morrow.

*Ordered,* That Messrs. Bledsoe, Trigg, Wilson, Bird, and Johnston, be added to the committee of Propositions and Grievances; Mr. Payne to the committee for examining the treasurer's accounts; Messrs. Mason and A. Hite, to the committee for preparing and bringing in a bill, "for establishing a land office;" Messrs. Thoroughgood, Wilson of Pittsylvania, and Mr. Hutchinsonson, to the committee of Public Claims.

Mr. Mason reported, from the committee appointed to confer with Colonel Wood, that the committee had, according to order, conferred with that gentleman, and had agreed upon a report, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read and agreed to, as followeth:

Your committee have, according to order, conferred with James Wood, Esq. colonel of the 8th Virginia regiment, on the subject of the Virginia troops, and from his information we have agreed on the following report, viz:

That the full compliment of the Virginia troops in the continental service under the late arrangement of the Congress, ought to consist of 5,940 effective men; but that there are at present in that service no more than 3,808 men, from which number, are to be deducted 796, whose time of service will shortly expire; that 805 are absent sick, of which, it is not probable that more than one half will be fit for service; and that the further number of 339, are sick in the camp, of which, it is not probable that more than two thirds will ever be fit for duty; so that it appears that there are not more than 2,899 men now in the Virginia line, which can be depended on, and consequently, that there will be a deficiency of 3,031, which ought to be supplied by this Commonwealth.

That one great cause of the deficiency is, that not above one half of the drafts of last year were sent on to camp, but still remain in the respective counties where they were drafted, and the reward for taking up deserters being very small, and no officer in the several counties appointed for paying that reward small as it is, and no mode of securing those deserters or conveying them to the camp being provided, every person is averse to concern himself in apprehending them.

That another great cause of the deficiency of the Virginia troops is, an expedition that was lately planned to Kentucky, where a number of troops were stationed to support about sixty men, few of which had families in that country, amongst which troops a great many deserters from the army incorporated themselves, with a view of making fortunes by land jobbing, and screening themselves as deserters.

That the officers in general are disgusted at a manoeuvre of a committee of arrangements from the Congress, who, in reducing the number of officers, which was admitted by the army to be a necessary measure, instead of beginning at the lower end and dismissing the young officers, or at the upper end and dismissing those who had served for any particular time (in either of which the officers would have acquiesced without murmuring,) established no line of regulating their conduct but that of their own will and pleasure, by which, they dismissed from their service, without assigning any reason, whatever officers they thought proper; thereby casting an implied censure, severe in the highest degree, to the feelings of those men of honor, who were actually dismissed, and exceedingly interesting to those who remained, when they reflected that they themselves might soon be subjected to the same ill treatment, after so unjust a



precedent had been set; and though that committee afterwards retracted that unjust mode of proceeding, yet a proper resentment of the insult offered by the attempt still remains; and that a fear prevails that this Commonwealth intend opening the land office, by which the officers and soldiers in the service of their country will not only be deprived of the benefit of the lands promised them for venturing their lives in the support of the liberties of America, but will be deprived of sharing in common with their fellow-citizens, an opportunity of procuring a comfortable settlement in the back country, the choice of which will be engrossed by those on the spot, whilst they remain in the service of their country.

That it is to be feared, these reasons will induce many of the officers to resign at the end of the campaign, will prevent any of the soldiers, whose times are near expiring, from reenlisting in the service, and will probably deter others from enlisting.

That the Virginia troops are destitute of clothes and necessities, which it is probable was occasioned by the clothes, liquors and other necessities being sent forward to Mr. Hollingsworth, deputy quartermaster general at the Head of Elk, who sent them forward to the clothier, and he lodged them in the continental store, without appropriating them to the use of the Virginia troops; and Gen. Washington being advised that the Assembly of Virginia had provided liberally for their troops, and not knowing that their clothes were lodged in the continental store, gave out in general orders that the Virginia troops should draw nothing out of the continental store: in consequence of which the residue of the army were supplied with, and the Virginia troops excluded from those very necessities furnished by their State for the use of their troops.

That under waistcoats for each of the non-commissioned officers and soldiers would be a very necessary and acceptable provision against the approaching winter campaign; and your committee beg leave to represent, that there is a very large quantity of baize in the country store, sufficient to answer that purpose.

That a probable means of raising men to supply the deficiency, would be to offer a liberal bounty, and to proportion the number of men to be raised by each county: and if the number required be not raised by a limited time, that indiscriminate draft should take place in those counties which failed to raise their quotas: by which means, every individual being interested to ward off the draft from himself, would contribute his money, and become a recruiting officer, to enlist the men required for the Commonwealth.

*Ordered*, That the said report be referred to the committee of the whole House on the state of the Commonwealth.

*Ordered*, That Mr. Munford have leave to be absent from the service of this House till the last day of this month, and Mr. Mason till Wednesday next.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for resolving several public warehouses for the inspection of tobacco," being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, November 7, 1778.

*Ordered*, That Messrs. Shelton and Bird have leave to be absent from the service of this House for the remainder of the session, and Mr. Elliott till Monday se'nnight.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill, "to amend an act, entitled 'an act for the better regulating and collecting certain officers' fees and other purposes,'" that they receive a clause or clauses for regulating the fees of attorneys practising in the courts of this Commonwealth.

An engrossed bill, "for establishing the town of Martinsburg, in the county of Berkeley, and for other purposes," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for establishing the town of Martinsburg, in the county of Berkeley, and for other purposes."

*Ordered*, That Mr. T. Hite do carry the bill to the Senate, and desire their concurrence.

A petition of Nicholas Gautier, was presented to the House, and read; setting forth, that foreigners trading to this State labor under great inconveniences for want of a notary to enter protests; that he has been resident here for several years, and shown his attachment to America, and is also well acquainted with the English, French, Dutch and Spanish languages; and praying that such an office as that of a notary may be established, and himself appointed thereto.

A motion was made, and the question being put, that the said petition be referred to a committee, It passed in the negative.

A petition of Thomas Berry, was presented to the House, and read; setting forth, that hearing that his son, who was a soldier in the fourth Virginia regiment, and whose time had expired, was ill at the Yellow Springs, in Pennsylvania, he sent a man and horse at a great expense, and much to the injury of the horse, to bring him home; that when the messenger arrived thither his son was dead, and paying some allowance.

*Ordered*, That the said petition be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to enable the delegates of this Commonwealth in Congress, to support themselves with dignity," and after some time spent therein, Mr. Speaker resumed the chair; and Mr. Fleming reported, that the committee had according to order, had the said bill under their consideration, and had gone through the same and made several amendments thereto, which he read in his place and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered*, That the bill with the amendments be engrossed and read the third time.

Mr. Lee, from the committee of Public Claims, to whom the resolution upon the petition of John and Bennett Tompkins was recommended, and the petition of Southy Simpson was referred, reported, that the committee had according to order, had the same under their consideration, and had agreed upon a report, and come to several resolutions thereupon; which he read in his place and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the said John and Bennett Tompkins, praying to be allowed the valuation of a certain piece of land in Gloucester county, whereon public salt works are erected, be rejected.

And it appears to your committee, that the petitioner was appointed by the commissioners of the navy to superintend the building of two galleys on the Eastern shore, and was to be supplied with money for that purpose; that he accordingly received the sum of 1,000*l.*, which being found insufficient to defray the expenses, and he not having an opportunity of applying to the Navy Board for a further supply of money, rather than the building should be retarded, advanced the deficiency, being four hundred and eighty pounds and two pence, out of his own funds; that when the petitioner laid his accounts before the auditors they refused to pass the same, by reason that no vouchers were produced in support thereof; that the petitioner not knowing any such proof would be required, neglected to furnish himself therewith when he had it in his power to procure it; that one person to whom he paid the sum of 46*l.* 6*s.* 3*d.* is since dead, and another to whom he paid the sum of 122*l.* 6*s.* 4*d.* is beyond sea; so that he cannot now procure vouchers for those sums:

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the said petition be rejected, for want of proof.

*Ordered*, That the committee of Propositions and Grievances, be discharged from preparing and bringing in a bill, "to amend an act, entitled 'an act, for providing against invasions and insurrections,'" and that Messrs. Cary, Lawson, Tazewell, Kello, Payne, Avery, T. Hite, Moore, Penn, G. Carrington, McDowell, Syme, Nicholas and Campbell, do prepare and bring in the same.

*Ordered*, That Mr. Henderson be added to the committee of Public Claims.

The orders of the day for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and on the bill, "to empower the treasurer to borrow a farther sum of money," and for a call of the House, being read;

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 11 o'clock.

#### MONDAY, November 9, 1778.

The House being informed that Mr. John Parke Custis, one of the members for the county of Fairfax, attended in custody of the serjeant at arms;

*Ordered*, That the said John Parke Custis be discharged out of custody, paying fees.

*Ordered*, That Mr. Dandridge have leave to be absent from the service of this House, till this day fortnight.

A memorial of the Rector, Visitors and Governors of William and Mary College, was presented to the House, and read; setting forth, that at a former session they laid a memorial before the House, suggesting the reduction of the College funds, and the prospect of being rendered unable to carry on the great and important purposes of education, without the interposition of the Legislature; and praying that the same may be now taken under consideration, and support afforded them towards accomplishing the objects of their charter.

*Ordered*, That the said memorial be referred to Messrs. Lawson, Parker, Kello, Cary, T. Hite, Avery, Pickett, G. Carrington, F. Goode, Curle, Nicholas, Tyler, Page, Custis, Nash, McDowal and Talbot: that they, or any seven of them, do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of Charles Linch, was presented to the House, and read; setting forth, that the incursions of the Indians, and removal of several slaves, which were put into his hands for the purpose of making gunpowder, have prevented him from paying off the money advanced to him by the public, in powder at 6*s.* per lb., and praying that he may be permitted to pay the balance, with interest, in money.

Also, a petition of John Fox; setting forth, that it would be of great advantage to the public, to establish a ferry

from his land in Gloucester county to the lands of Mr. John Tabb and Mr. Price Stanhope in York county; and praying that such a ferry may be accordingly established.

*Ordered*, That the said memorial and petition be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Bledsoe presented, according to order, a bill, "for extending the boundary line between Virginia and North Carolina;" and the same was received and read the first time, and ordered to be read a second time.

A petition of Peter Cummins, was presented to the House, and read; setting forth, that he left an helpless family, when he joined the militia last Fall, on their march to headquarters; that upon their being discharged, he was at considerable expense in travelling home; and praying such relief as may be thought just and reasonable.

*Ordered*, That the said petition, be referred to the committee of Public Claims, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for reviving several public warehouses for the inspection of tobacco," and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, to take the said bill under their farther consideration.

An engrossed bill, "for forming a new county out of the counties of Bedford and Henry, and for dividing the county of Bedford," was read a third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be "an act for forming a new county out of the counties of Bedford and Henry, and for dividing the county of Bedford, and for other purposes."

*Ordered*, That Mr. Cary do carry the said bill to the Senate, and desire their concurrence.

An engrossed bill, "to increase the allowance of the delegates of this Commonwealth in Congress," was read the third time;

*Resolved*, That the bill do pass, and that the title be "an act to increase the allowance of the delegates of this Commonwealth in Congress."

*Ordered*, That Mr. Nicholas do carry the said bill to the Senate, and desire their concurrence.

Another member returned upon a writ, having taken the oath required by law, took his seat in the House.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill, "to expel from this Commonwealth, and prevent the return in future of such persons as have shown themselves inimical to the liberties of America;" and also on the bill, "to enable the treasurer to borrow a farther sum of money," being read,

*Ordered*, That the same be put off till Wednesday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "to amend an act, entitled 'an act for establishing a General Court, and for other purposes,'" being read,

*Ordered*, That the same be put off till Thursday next.

The order of the day for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That Messrs. Custis, Benjamin Harrison and Norvell, be added to the committee for Religion; and Mr. Custis, to the committees of Privileges and Elections and Propositions and Grievances.

And then the House adjourned till to-morrow morning, 11 o'clock.

## TUESDAY, November 10, 1778.

Mr. Lee, from the committee of Public Claims, reported, that the committee had, according to order, had under their consideration, the petition of John Quarles, lieutenant of the county of Bedford, to them referred, and had agreed upon a report, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and being amended, was agreed to, as followeth:

It appears to your committee, that the petitioner received by the hands of Lieutenant Valentine, the sum of 236*l*. 16*s*., which identical money he delivered to certain officers for the purpose of recruiting a company of soldiers for the service of the State agreeable to instructions from the Governor.

That some time afterwards, the said officers, having made no progress therein, returned to the petitioner the several sums of money which they had received of him; that of the bills returned by Nicholas Meade, one of the said recruiting officers, there were three fifteen dollar bills of counterfeit money, which the said Meade maketh oath were part of the money which he received of the petitioner for the purpose aforesaid, and that the said petitioner hath since replaced the same in the treasury.

Whereupon, your committee came to the following resolutions:

*Resolved*, that it is the opinion of this committee, That the said petition is reasonable; and that the petitioner ought to be allowed the sum of 13*l*. 10*s*.



*Ordered*, That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

*Resolved*, That the Governor be requested to lay before this House, such returns of the militia as have been made to him by the several county lieutenants.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the same under their consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended, were agreed to, as followeth:

1. *Resolved*, that it is the opinion of this committee, That men, rank and file, be forthwith raised within this Commonwealth, to supply the deficiency of the Virginia troops in the continental service.

2. *Resolved*, that it is the opinion of this committee, That it be required of the several counties within this Commonwealth, that each of them shall furnish by the day of a part of the aforesaid number of men in proportion to their militia.

3. *Resolved*, that it is the opinion of this committee, That a bounty of dollars be paid out of the public treasury, and two hundred acres of land be given to each soldier, who shall enlist.

4. *Resolved*, that it is the opinion of this committee, That where any county shall fail to furnish, by the day of such proportion of men as shall be assigned thereto, an indiscriminate draught shall take place.

*Ordered*, That a bill or bills be brought in pursuant to the said resolutions, and that Messrs. Page, Parker, Lawson, Tazewell, Johnston, McDowell, Fleming, Bowyer, Burr Harrison, Tyler, Nicholas, Cary, Campbell, and Canon, do prepare and bring in the same.

A petition of Gabriel Maupin, was presented to the House, and read; setting forth, that his salary as keeper of the public magazine is inadequate to his services, and praying that the same may be increased.

Also, a petition of John Salmon; setting forth, that a horse belonging to him was in June last, impressed into the service of the Commonwealth, in which he was injured to the amount of 10*l*.; and praying such an allowance as may be thought reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Ward, was presented to the House, and read; setting forth, that it would be highly advantageous to travellers if a ferry was established across Staunton river, from his land in Bedford to his land in Pittsylvania county, and praying that the same may be established.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of Thomas Hite, was presented to the House, and read; setting forth, that 257 acres of land in the county of Berkeley, was devised by one Bryan Obanion to Aaron and Francis Johnson; that the said Aaron, who was a bastard, lately died seized thereof in fee simple intestate, and without issue, whereby the said land hath escheated to the Commonwealth; and praying that an act may pass, vesting the same in commissioners, for the benefit of the descendants of the said Bryan Obanion.

*Ordered*, That the said memorial be referred to Messrs. Nicholas, Lawson, Benjamin Harrison and Edmondson, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill, "for extending the boundary line between Virginia and North Carolina," was read a second time, and ordered to be committed to Messrs. Kello, Todd, Bledsoe, T. Hite, Curle, Campbell and Trigg.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for receiving several public warehouses for the inspection of tobacco," being read,

*Ordered*, That the same be put off till Thursday next.

The order of the day for a call of the House, being read,

*Ordered*, That the same will be put off till to-morrow.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

And then the House adjourned till to-morrow, 10 o'clock.

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### WEDNESDAY, November 11, 1778.

A petition of sundry inhabitants of the county of Amherst, was presented to the House, and read; setting forth, that they enlisted in the corps of volunteers directed by a late act of Assembly, for reinforcing the continental army, and conceive themselves entitled to the bounty and full pay, until their discharge; and praying that they may be allowed the same.

Also, a petition of Leighton Wood, jun.; setting forth, that in pursuance of a resolution of the House, he entered upon the examination of the accounts of the public trade, which had been conducted by Col. Aylett; that he was much surprised to find, that those accounts were transferred from Mr. Prentis and himself to the auditors, by an

order of the last Assembly; and praying that he may receive some compensation for the progress which he made in this work.

Also, a petition of William Tyler; setting forth, that he accommodated three North Carolina soldiers in the continental service, who lay sick for three weeks at his house; and praying such allowance for the same, as may be thought just.

Also, a petition of Henry Field; setting forth, that a horse belonging to him was impressed into the continental service, and lost; and praying satisfaction for the same.

Also, a petition of Basil Noe; setting forth, that on the return of his wagon and team, which had been employed for the use of the Culpeper militia on their march to Head Quarters, one of his horses was lost; and praying such compensation for the same, as may be thought just and reasonable.

*Ordered*, That the said petitions be referred to the committee of Public Claims, that they do examine the matter thereof, and report the same with their opinion thereupon, to the House.

A petition of Paul Thihnan, was presented to the House, and read; setting forth, that he had undertaken and built a bridge over Pamunkey river, called Littlepages, which was swept away by the late fresh, before it was received; that he cannot erect another in any short time, and praying that he may be permitted to keep a ferry over the said river, from the land of Thomas Garland to the land of James Dismukes, who has consented thereto.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill, "for reviving and amending the acts 'for the more effectual keeping the public roads and bridges in repair, and reducing the same into one act of Assembly;" and that Mr. Wm. Watkins do prepare and bring in the same.

A bill, "to discontinue several ferries," was read a second time, and ordered to be committed to the committee of Propositions and Grievances.

*Ordered*, That it be an instruction to the committee of Propositions and Grievances, to whom the above bill was committed, to receive a clause or clauses, for establishing a ferry across Roanoke river, from the land of Peyton Skipwith, knight, on the north side, to the land of the said Sir Peyton Skipwith, on the south side of the said river.

*Resolved*, That the Governor be requested to lay before this House, an exact return of the drafts furnished under the late act, entitled "an act for speedily recruiting the Virginia regiments on the continental establishment, and for raising additional troops of volunteers."

Mr. Cary reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the memorial of Thomas Walker, Esq. agent for and in behalf of several gentlemen, to the number of forty-six, styled the Loyal Company, praying a confirmation of sundry surveys of land, made for the said company under an order of the Governor and Council, in 1753, to enable the agent to convey the same to the several persons with whom he had contracted for the sale thereof; and also, praying that they may be allowed so much time for surveying the residue of the quantity of land mentioned in the order, as was unexpired at the time hostilities commenced in that country in the year 1754; also, several petitions in opposition to the said memorial, and two in support thereof, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, that at a Council held July the 12th, 1749, leave was granted to the said company to take up and survey 800,000 acres of land, in one or more surveys, beginning on the bounds between this State and North Carolina, and running to the westward and to the north so as to include the said quantity; and four years time allowed to survey and pay rights for the same, upon the return of the plans to the secretary's office, a copy of which order was duly entered in the offices of the auditor general and surveyor of the county of Augusta, according to the rule of government:

That in March following, the memorialist, as agent for the company, with five other persons supported at their expense, set off to explore the country on the branches of the Mississippi, then unknown, and went as far westward as Cumberland river, where they built a house, cleared a small spot of ground and planted some peach stones and Indian corn, and went northerly across Kentucky river, in which service the persons aforesaid were employed four months and six days:

That the company being hindered from further progress, by a caveat entered for the Ohio Company, and by a dispute with Col. James Patton, who had an unfinished grant below where this company were to begin, the Governor and Council, by their order of June 14th, 1753, allowed the company four years farther time to complete the surveying and seating the said lands:

That on the 6th day of July following, the company directed their said agent to proceed with all convenient speed in surveying lands, and to sell the same to purchasers at three pounds per hundred acres, exclusive of fees and rights; in consequence of which the agent procured to be surveyed, in that and the next year, 224 surveys, containing 45,390 acres, which were made in the names of the several settlers, who contracted with the agent for the purchase thereof, on the terms aforesaid:

It further appears, that in the Summer of 1754, several families were obliged to remove from their said settlements by an Indian invasion, and such removals continued during that war to be made at different times, so that no further proceedings were had under the company's order until May the 25th, 1763, when they petitioned the Gover-



nor and Council for a renewal and confirmation of the aforesaid grant, on account of the obstructions to their carrying the same into execution during the war; but the board declared their opinion to be, that they were restricted, by His Majesty's instructions, from renewing or confirming the grant:

That at a Council, held December the 16th, 1773, the following order was made, to wit: "On consideration of the several petitions of Thomas Walker, in behalf of himself and the other members of the Loyal Company, and also of Andrew Lewis, agent for the Greenbrier Company, praying that the grants made to the officers and soldiers under His Majesty's proclamation in 1763, may not be suffered to be located so as to interfere with their grants: and also, of the petition of sundry inhabitants settled on those grants, to the same purpose; and of the counter petition of Hugh Mercer, and sundry other officers, the board were of opinion, and it was accordingly ordered, that the officers and soldiers be at liberty to locate their lands wherever they shall desire, so as not to interfere with legal surveys or actual settlements. That every officer be allowed a distinct survey for every thousand acres; and that those are to be deemed settlers who resided on any tract of land before last October, and continue so to do, having cleared some part thereof, whereby his intention to reside is manifested. And that every settler shall have fifty acres at least, and also for every three acres of cleared land, fifty acres more, and so in proportion, which is to be taken as part of the grants to the said companies respectively, when the land office shall be open to them; unless such settlers shall choose to hold under the officers or soldiers, or any of them, rather than under the said companies."

That subsequent to the said order, and before the present year, 1756, surveys containing 156,164 acres have been surveyed under the said grant to the Loyal Company, for actual settlers, whose names and the quantity surveyed for each, is contained in a certificate of Col. William Preston, surveyor of Fincastle county, wherein the lands lay before a division thereof; so that there hath been surveyed under this grant at the various periods before stated, in the whole 201,554 acres, out of 800,000, there remaining unsurveyed 598,446 acres:

That all lands so surveyed, are either sold by the agent of the company at three pounds per hundred acres, or held by the settlers who have surveyed, in order to claim under the grant on the same terms, according to the last order of Council, and no lands have been hitherto surveyed by the company with intention to reserve the same for themselves and families:

It further appears to the committee, that the conduct of the company, and their said agent, hath been fair and upright in every instance, constantly adhering to the terms of sale, and never demanding a higher price, or refusing to sell to any settler the land he chose, unless when he desired to have a large tract, which the agent always refused, as it would have enabled the purchaser to extort an advanced price from other settlers, or have kept the land unseated, and weakened the settlement:

That in 1766, the agent caused advertisements to be dispersed through several States, north and south, desiring all persons who contracted for any of the company's lands, and were driven off their settlements in the former war, to return and claim the same, or it would be sold to others; and hath been at great pains to compose differences amongst the settlers, either by settling them himself, or getting them referred to arbitration; and that no part of the purchase money appears to have been paid for any of the lands sold; the agent declaring it was time enough to pay the money, when he was enabled to make a title to the land:

It further appears, from the testimony of Robert Preston and John Floyd, formerly assistant surveyors of Fincastle county, that, in their opinion there are between one thousand and twelve hundred settlers in the counties of Montgomery and Washington, who expect to obtain titles to their lands from this company. But it appears that in 1776, an advertisement was published by Col. Wm. Preston, importing that he was empowered by the agent to take bond and security for three pounds per 100 acres, for all lands surveyed and sold by the company, appointing a time and place when he would attend for that purpose, and that he was ready upon receiving such bonds, and the surveyor's fees, to deliver the surveys; and it is admitted by the agent that no such bonds were then given.

Whereupon, the committee have come to the following resolutions:

*Resolved, that it is the opinion of this committee,* That so much of the memorial of the said Thomas Walker, Esq. as prays that he may be enabled agreeable to the tenor of his contracts, and the conditions of the grant to the Loyal Company to make conveyances for 254 surveys, made before the 14th day of January 1757, and containing 45,390 acres of land, is reasonable.

*Resolved, that it is the opinion of this committee,* That so much of the memorial of the said Thomas Walker, as relates to the 756 surveys, containing 156,164 acres of land, so far as there are actual contracts or entries made with the said Walker, or his agent, and as to all those who have signed a petition in favor of the Loyal Company's grant, is reasonable; and that the said Walker ought to be empowered to make legal titles for the same.

*Resolved, that it is the opinion of this committee,* That so much of the memorial of the said Thomas Walker and Company; as prays, to be allowed so much time, to complete their surveys, as they had to come when hostilities commenced, be rejected.

*Ordered,* That the said report and resolutions do lie on the table.

*Ordered,* That Mr. Mayo have leave to be absent from the service of this House till Monday three weeks.

*Ordered,* That the committee to whom the bill, "for extending the boundary line between Virginia and North Carolina," was yesterday committed, be discharged from proceeding thereon, and that the same be committed to a committee of the whole House to-morrow.

*Resolved,* That when any member shall keep his seat two days after having obtained leave of absence, such leave shall be void.



*Ordered*, That the said resolution be the standing order of the House.

Mr. G. Carrington, from the committee for Religion, reported, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Charles McCarty and John Sydnor, church wardens of the parish of Northampton, in the county of Richmond, praying a dissolution of the vestry of the said parish, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the parish of Manchester, in the county of Chesterfield, praying a dissolution of the vestry of the said parish, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the parish of Washington and Hanover, praying that that part of the parish of Hanover lying in Westmoreland county, be annexed to the parish of Washington, and that that part of the parish of Washington lying in King George county, be annexed to the parish of Hanover, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the parish of St. Paul in the county of Hanover, praying a dissolution of the vestry, which sets forth, that none of the present vestry were chosen by the people, is true.

*Resolved*, therefore, That the vestry of St. Paul's parish in the county of Hanover ought to be dissolved.

The 1st, 2d, 4th, and 5th resolutions being read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 3d resolution being read a second time, and the question being put, that it be recommitted to the same committee,—It was resolved in the affirmative.

*Ordered*, That a bill or bills, be brought in pursuant to the 1st, 2d, 4th and 5th resolutions, and that the committee for Religion do prepare and bring in the same.

*Ordered*, That Messrs. Moore and Pickett, be added to the committee for preparing and bringing in a bill, "for supplying the deficiencies of the quota of this Commonwealth, in the continental army;" Mr. Nicholas, to the committee of Public Claims; and Mr. Southall, to the committee of Trade.

Mr. Lee reported, from the committee of Public Claims, that the committee had, according to order, had under their consideration, sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

1. *Resolved*, that it is the opinion of this committee, That the petition of David Clarkson, praying an additional allowance for his wagon and team, which were employed in transporting the baggage, &c. of Capt. Joseph Harden's company of militia from the county of Fluvanna to Williamsburg, be rejected.

2. *Resolved*, that it is the opinion of this committee, That the petition of Amos Durham, praying to be allowed for his trouble and the expense incurred by him in nursing and maintaining a continental soldier who was left at his house sick by Major Lockhart of the North Carolina troops, be rejected.

3. *Resolved*, that it is the opinion of this committee, That the petition of Abraham Aaron, praying to be allowed for repairing sundry arms belonging to the militia of Pittsylvania county, who were ordered out against the Indians in the month of June last, be rejected.

4. *Resolved*, that it is the opinion of this committee, That the petition of John Goode, praying to be allowed for attendance and medicines furnished four soldiers of Capt. Roger Thompson's company of minute men, who came home sick from Williamsburg sometime in the month of August, 1776; also for board of one of them five days, is reasonable; and that the petitioner ought to be allowed for the same the sum of 9*l.* 13*s.*, being the amount of his account.

5. *Resolved*, that it is the opinion of this committee, That the petition of James Thornton; as prays an allowance for his trouble and maintenance of his son Jeremiah Thornton, a soldier in the continental service, who, by permission of Gen. Woodford, was carried from camp for his recovery of a wound which he received in the battle at Brandywine, is reasonable; and that the petitioner ought to be allowed for the same at the rate of 10*l.* per day for 92 days, amounting to the sum of 3*l.* 16*s.* 8*d.*

6. *Resolved*, that it is the opinion of this committee, That such other part of the said petition as prays to be reimbursed the sum of 7*l.* 10*s.*, which the petitioner expended in getting his said son from camp, be rejected for want of sufficient proof.

7. *Resolved*, that it is the opinion of this committee, That the petition of John Wilson; setting forth, that Will, a negro man slave, was aiding and abetting Josiah Phillips and his accomplices in the perpetration of their wicked and traitorous actions; that the said slave struck such terror into the inhabitants of the county of Norfolk and Princess Anne, that the petitioner was induced to offer a reward of 100*l.* to any person who should put him to death; that one Zadock Dailey did accordingly kill him, whereby the country was saved from the expense of sending troops to quell the insurgents; and praying to be paid the said reward, is reasonable; and that the petitioner ought to be reimbursed the said sum of 100*l.* by the public.

The 1st, 4th and 7th resolutions being read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the 4th and 7th resolutions to the Senate, and desire their concurrence.

The 2d, 3d, 5th and 6th resolutions being read a second time, and the question being severally put, that they be recommitted to the same committee,

It was resolved in the affirmative.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "to expel from this Commonwealth, and to prevent in future the return of persons who have shewn themselves inimical to the liberties of America," being read,

*Ordered*, That the same be put off till Monday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "to enable the treasurer to borrow a farther sum of money," being read,

*Ordered*, That the same be put off till to-morrow.

And then House adjourned till to-morrow morning, 11 o'clock.

#### THURSDAY, November 12, 1778.

*Ordered*, That Mr. Wilkinson have leave to be absent from the service of this House until the 27th of this month, and Mr. Winslow for the remainder of the session.

The House, according to the order of the day, again resolved itself into a committee of the whole House, on the bill, "for reviving several public warehouses for the inspection of tobacco;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and had made a farther progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, to take the said bill under their farther consideration.

*Ordered*, That leave be given to bring in a bill, "for directing the duty of surveyors of land and ascertaining the mode of their appointment;" and that Messrs. Campbell, Nicholas, G. Carrington, Bowyer, Trigg, Bledsoe and McCulloch, do prepare and bring in the same.

A petition of George, a negro man, late the property of John Thornton, Esq., deceased, was presented to the House, and read; setting forth, that he received repeated assurances from his late master that he would set him free at his death, from a sense of his having discharged his duty as a domestic servant with unremitting assiduity; that he is advised that he cannot be manumitted without a law to that effect, the heirs of the said Thornton consenting thereto; and praying that an act may pass for that purpose.

*Ordered*, That leave be given to bring in a bill pursuant to the prayer of the said petition; and that Messrs. Fleming and Taliaferro do prepare and bring in the same.

The order of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The Speaker laid before the House a letter from the Governor, enclosing returns of the militia and draughts made in the several counties, under the late act of Assembly.

And the said letter was read.

*Ordered*, That the said letter and returns be referred to the committee appointed to prepare and bring in a bill, "for supplying the deficiency of the Virginia quota of troops in the continental army."

A petition of sundry inhabitants of the counties of Orange and Culpeper, was presented to the House, and read; setting forth, that they are informed, that a petition is to be presented to the Assembly, that the owners of mills on the Rapidan river may open in their dams a passage for fish twenty feet wide, to continue open from some time in April to the last of May; that such a measure would ruin the mills; and praying that it may not take place, and that the act of Assembly, passed in 1759, requiring slopes to be made in the mill dams on the Rapidan, may be repealed.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill "to amend an act, entitled 'an act for raising a supply of money for public exigencies,'" being read,

*Ordered*, That the same be put off till Monday next.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill "to amend an act, entitled 'an act for establishing a General Court,' and for other purposes," being read,

*Ordered*, That the same be put off till Tuesday next.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill "for extending the boundary line between Virginia and Carolina," being read,

*Ordered*, That the same be put off till Saturday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

FRIDAY, November 13, 1778.

A new member, returned upon a writ, having taken the oath appointed by law, took his seat in the House.

Mr. Nicholas reported, from the committee to whom it was referred to examine the report of the committee appointed to inquire into and ascertain the losses sustained by the inhabitants of Norfolk, that the committee had, according to order, had the same under their consideration and agreed upon a report, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth :

It appears to your committee, that the persons who were friends to the American cause, and the value of their property in the borough of Norfolk, destroyed by the State troops, are as followeth :

George Abyvon,	-	-	-	£ 1,839	19	0
James Becker,	-	-	-	326	0	0
William Holt,	-	-	-	1,569	17	3 3-4
Samuel Bacon,	-	-	-	1,464	0	0
Elizabeth Kelsick,	-	-	-	433	0	0
John Willoughby's estate,	-	-	-	1,004	15	0
Mary Herritter,	-	-	-	45	10	0
James Maxwell,	-	-	-	757	8	4
Lemuel Willoughby's estate,	-	-	-	754	0	0
Christopher Calvert,	-	-	-	646	10	0
James Atkinson,	-	-	-	140	0	0
Paul Herritter's estate,	-	-	-	631	0	0
John and William Ingram,	-	-	-	436	0	0
John McCloud,	-	-	-	148	0	0
John Boggess,	-	-	-	247	12	0
Lemuel Cornick,	-	-	-	416	0	0
James Dyson,	-	-	-	417	10	0
Richard Bickerdick,	-	-	-	115	0	0
Thomas Morris,	-	-	-	284	5	0
William R. W. Curle,	-	-	-	526	10	0
Solomon Eady,	-	-	-	352	0	0
John Dunn's estate,	-	-	-	657	11	0
James Haldane,	-	-	-	694	13	4
David O'Sheel,	-	-	-	397	0	0
John Harris,	-	-	-	167	19	3
Richard Scott's estate,	-	-	-	785	0	0
Maxamillian Calvert,	-	-	-	3,899	0	0
James Cooper,	-	-	-	967	0	0
Prudence Bane,	-	-	-	171	10	0
John Livingston,	-	-	-	389	0	0
Sarah Cann's estate,	-	-	-	1,417	0	0
Francis McKerrol,	-	-	-	416	12	0
Hodge Miller,	-	-	-	215	0	0
William Smith,	-	-	-	967	10	0
Thomas Drury,	-	-	-	83	0	0
James Archdeacon's estate,	-	-	-	135	0	0
John Phripps' estate,	-	-	-	320	0	0
Matthew Phripp,	-	-	-	392	7	6
Robert Tucker's estate,	-	-	-	2,712	0	0
Thomas Matthews,	-	-	-	995	10	0
John Kelsick's estate,	-	-	-	150	0	0
James Taylor,	-	-	-	2,083	18	0
Margaret Taylor's estate,	-	-	-	1,236	0	0
Jacob Williamis,	-	-	-	500	0	0
Cornelius Calvert,	-	-	-	2,186	15	7 1-2
Hardress Waller,	-	-	-	150	0	0
Paul Loyal,	-	-	-	1,932	5	0
Nathaniel Tatum,	-	-	-	242	0	0
John Marnoch,	-	-	-	481	18	5 1-2
Wilson Newton's estate,	-	-	-	1,524	0	0
Rebecca Newton,	-	-	-	107	10	0
Francis Haynes,	-	-	-	170	0	0



Sarah Dyson,	-	-	-	-	£ 346	0	0
Henry Tucker's estate,	-	-	-	-	405	0	0
George Jamison, sen.	-	-	-	-	291	10	0
James Wood,	-	-	-	-	235	0	0
John Broadfoot,	-	-	-	-	373	10	0
Howard Pool,	-	-	-	-	1,731	0	0
William Chisholm,	-	-	-	-	1,287	0	0
Morto Bryan,	-	-	-	-	90	1	7
Thomas Price,	-	-	-	-	638	0	0
County of Norfolk,	-	-	-	-	495	0	0
Borough of Norfolk,	-	-	-	-	1,480	15	0
William Calvert,	-	-	-	-	480	6	0
Thomas Talbot	-	-	-	-	3,308	0	0
John Gilchrist, (orphan)	-	-	-	-	609	10	0 Certified.
John Ramsay,	-	-	-	-	1,321	0	0
Stephen Wright,	-	-	-	-	1,523	0	0
John Calvert,	-	-	-	-	537	0	0
Rebecca Newton,	-	-	-	-	35	0	0
Susanna Campbell,	-	-	-	-	49	0	10
Edward Archer,	-	-	-	-	733	0	0
John Archer,	-	-	-	-	503	0	0
Hudson Brown,	-	-	-	-	50	0	0
Daniel Hutchings,	-	-	-	-	420	0	10
Nicholas Pool,	-	-	-	-	306	0	0
James Ramsey, (orphan of James,)	-	-	-	-	555	0	0
Ann Wallace,	-	-	-	-	115	0	10
John Bane,	-	-	-	-	208	0	0
Jonas Harbert,	-	-	-	-	541	0	0
Elizabeth Ballard,	-	-	-	-	27	0	0
John Williamson,	-	-	-	-	446	0	0
Samuel Boush,	-	-	-	-	6,465	8	0
John Bowness,	-	-	-	-	391	0	0
Bernard Lorane,	-	-	-	-	177	12	6
Richard Brown,	-	-	-	-	875	0	0
James Matthews,	-	-	-	-	90	0	0
Peter Byzer,	-	-	-	-	150	0	0
Christopher Beestin,	-	-	-	-	598	0	0
Mary Rothery, (widow of Henry Rothery,)	-	-	-	-	420	0	0
William Freeman,	-	-	-	-	614	0	0
Thomas Newton,	-	-	-	-	2,697	0	0

It further appears to your committee, that the persons who were enemies to the American cause, and the value of their property destroyed in the borough of Norfolk, are as followeth :

Joseph Mitchell,	-	-	-	-	£ 452	0	0
Anthony Walke,	-	-	-	-	372	0	0
James Dunn,	-	-	-	-	395	10	0
Samuel Blew,	-	-	-	-	213	10	0
John Woodsides,	-	-	-	-	1,602	0	0
William Atchison,	-	-	-	-	1,364	0	0
Robert Waller,	-	-	-	-	118	0	0
Andrew Sprowl,	-	-	-	-	155	0	0
Alexander Gordon,	-	-	-	-	695	0	0
Neil Jameison,	-	-	-	-	2,173	0	0
John Hardy,	-	-	-	-	1,293	0	0
James Parker,	-	-	-	-	563	0	0
John Crammond,	-	-	-	-	341	0	0
Talbot Thompson,	-	-	-	-	406	0	0
Andrew Stephenson,	-	-	-	-	270	0	0
Archibald Campbell,	-	-	-	-	2,252	0	0
William and Thomas Farrow,	-	-	-	-	1,363	0	0

It further appears to your committee, that the persons who are friendly to the American cause, and the value of their property destroyed in the borough of Norfolk, by the enemy are as followeth :

John Hutchings,	-	-	-	-	£ 1,949	0	0
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James Williams,	-	-	-	-	£ 78	5	0
Willis Bramble,	-	-	-	-	235	0	0
Robert Tucker's estate,	-	-	-	-	250	0	0
Cornelius Calvert,	-	-	-	-	135	0	0
William Freeman,	-	-	-	-	105	0	0

It also appears to your committee, that the persons who were subjects of the King of Great Britain, at the time of the destruction of the borough of Norfolk, or have since become so, whose property was destroyed in the said borough, are as follows :

Mary Rothery,	-	-	-	-	£ 379	0	0
Thomas Thompson's heirs,	-	-	-	-	1,520	0	0
William Orange,	-	-	-	-	4,792	0	0
Robert Gilmour,	-	-	-	-	467	0	0
Samuel Farmer,	-	-	-	-	768	0	0
Mathew Rothery's widow and heir,	-	-	-	-	1,399	0	0
John Greenwood,	-	-	-	-	1,073	0	0

*Resolved, that it is the opinion of this committee,* That such part of the borough of Norfolk, as was the property of friends to liberty, and destroyed by the State troops, ought to be paid for by the public.

*Resolved, that it is the opinion of this committee,* That such part of the said borough as was destroyed by the enemy, whether the property of friends or foes, ought not to be paid for by the public.

*Resolved, that it is the opinion of this committee,* That such part of the said borough, as was destroyed by our troops, as was the property of persons inimical to this country, ought not to be paid for by the public.

*Resolved, that it is the opinion of this committee,* That such part of the said borough, as is the property of persons within the dominion of the King of Great Britain, ought not to be paid for by the public.

*Resolved, that it is the opinion of this committee,* That the following claims for property destroyed in the said borough, ought to be postponed for further proof.

Stephen Tankard,	-	-	-	-	£ 1,204	0	0
John Gardner,	-	-	-	-	236	0	0
Thomas Newton,	-	-	-	-	608	5	0
Goodrich Boush,	-	-	-	-	482	0	0
John Phripp's estate,	-	-	-	-	2,130	13	0
Phripp & Bowdoin,	-	-	-	-	433	5	0
Robert Tucker, jun.	-	-	-	-	789	0	0
Cornelius Calvert, (son of Saunders)	-	-	-	-	526	0	0
Joel Mahoon,	-	-	-	-	520	18	0
Joseph Hutchings's estate,	-	-	-	-	1,717	0	0
Alexander Love,	-	-	-	-	55	0	0
John Bowness,	-	-	-	-	697	0	0
Richard Brown,	-	-	-	-	70	0	0
Joseph Calvert,	-	-	-	-	120	0	0
William Freeman,	-	-	-	-	412	0	0

The committee, from the doubts that arose on the following claims, thought it necessary to state the facts specially, and they are as follows :

Thomas Applewhite,

150*l*.

This claimant is a native of this country, also married to a native, and had for a considerable time before the commencement of this war, resided in one of the British islands; that he has always manifested himself a warm supporter of the rights of his country, and behaved in a remarkable kind manner to such of our prisoners as fell in his way; that he is now about purchasing an estate in this country, where he intends residing in future.

*Resolved, that it is the opinion of this committee,* That the said Thomas Applewhite ought to be allowed the said sum of 150*l*.

It also appears to your committee, that the allegations of the petition of Samuel Portlock are true, and that the commissioners, by mistake, inserted the value of five houses, burnt by order of convention, instead of two, burnt by the State troops, by which your petitioner has been allowed only 222*l*. instead of 695*l*.; that he ought now to be allowed the sum of 473*l*., as the difference between the sum he was entitled to, and the sum he received for his property destroyed by order of convention; and the farther sum of 286*l*. 12*s*. 6*d*., the value of his property destroyed by the State troops, making in the whole 759*l*. 12*s*. 6*d*.

It also appears to your committee, that the allegations of the petition of Aphia Wonycutt, widow of Nicholas Wonycutt, deceased, are true; and that the commissioners, by mistake, inserted the value of a dwelling house, and some out houses burnt by order of convention amongst those burnt by the State troops; that she ought now to be paid the sum of 493*l*. for the same; and also the further sum of 65*l*. for a kitchen burnt by the State troops.

It also appears to your committee, by a special report made by the commissioners, that Alexander Love owned one twentieth part of the new distillery, which he purchased several years before the destruction of the borough of Norfolk of Mr. Cornelius Calvert, which part was, at the time he made the said purchase, estimated at 500*l*.; that at

the time of the destruction of the said borough, there was a considerable quantity of molasses in the same; that this building was not within the limits of the said borough.

*Resolved, that it is the opinion of this committee,* That the said Alexander Love ought to be allowed the said sum of 500*l*.

It also appears to your committee, that Formelia Jameison claims 107*l*. 10*s*. as parcener with her sister Rebecca Newton, and that she is now under coverture, and that her husband is a professed enemy to the rights and liberties of this country.

*Resolved, that it is the opinion of this committee,* That the said Formelia Jameison, ought not to be allowed the said claim of 107*l*. 10*s*.

The committee have also, according to order, had under their consideration the petition of Paul Loyal, and others, praying to be allowed 1200*l*. for a house destroyed by order of convention, (and omitted by the commissioners in their report last session,) and have come to the following resolution thereupon:

*Resolved, that it is the opinion of this committee,* That the said petition is reasonable, and that the said petitioners ought to be allowed 1200*l*.

*Resolved, that it is the opinion of this committee,* That the consideration of the petition of Joanna Tucker, be deferred for want of proof.

*Resolved,* That the treasurer be directed to pay out of the public money in his hands to the respective claimants, such sums, as they are declared by the preceding resolutions, to be respectively entitled to.

*Ordered,* That Mr. Nicholas do carry the said resolutions to the Senate, and desire their concurrence.

*Ordered,* That Mr. Mason be added to the committee appointed to prepare and bring in a bill, "for supplying the deficiency of the Virginia troops in the continental service;" Messrs. Strother and Moore, to the committee appointed to examine the treasurer's accounts; and Mr. Claiborne to the committees of Propositions and Grievances and for Religion.

The Speaker laid before the House a letter from the Governor, enclosing sundry letters and papers, and stating a matter for the consideration of the House.

And the said letters and papers were read, and ordered to be referred to a committee of the whole House, on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the same under their consideration, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

1. *Resolved, that it is the opinion of this committee,* That upon information received upon oath, that any person or persons within this Commonwealth, has, or have been concerned in counterfeiting the continental bills of credit, the treasury notes of this Commonwealth, or the currencies of any of the United States, or in passing any counterfeit bills or notes, knowing them to be such, that the Governor be empowered, with the advice of the Council, to send for such person or persons, to be examined in any county court they shall think proper.

2. *Resolved, that it is the opinion of this committee,* That the Governor be empowered, with the advice of the Council, to draw his warrants on the treasury, for any sums they shall think necessary to expend in rewards for apprehending and bringing to justice any such person or persons.

*Ordered,* That a bill or bills, be brought in pursuant to the said resolutions; and that Messrs. Carter, Tazewell, Page, Parker, Curle and Mason, do prepare and bring in the same.

Mr. Lawson reported, from the committee to whom the memorial of Thomas Hite, Esq. was referred, that the committee had according to order, had the same under their consideration, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

It appears to your committee, that a certain Aaron Johnston, who was a natural child of one Bryan Obanion, was tenant in tail of 257 acres of land, in the county of Berkeley, under the last will of the said Obanion; that the said Aaron, after having become tenant in fee simple thereof by the operation of the act of Assembly for abolishing entails, died without issue and intestate; whereby the said land hath escheated to the Commonwealth.

*Resolved, therefore, that it is the opinion of this committee,* That the said memorial is reasonable; and that the said land ought to be vested in commissioners; that the same may be sold and the money arising therefrom be equally divided amongst the descendants of the said Bryan Obanion, according to the prayer of the said memorial, saving to all persons whatsoever their right to traverse the escheat of the said lands.

*Ordered,* That a bill be brought in pursuant to the said resolution; and that Messrs. Nicholas, Lawson, Benjamin Harrison, and Edmondson, do prepare and bring in the same.

Mr. Cary reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration two memorials to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved, that it is the opinion of this committee,* That the memorial of the late members of the court of directors of the hospital, for the reception of idiots, lunatics, and persons of insane and disordered minds; setting forth,



that the provision formerly made for the support of the patients confined in the said hospital, is now become very inadequate thereto; and praying that a farther provision may be made, is reasonable.

*Resolved, that it is the opinion of this committee,* That the memorial of Thomas Walker, in behalf of himself and the representatives of Peter Jefferson and Thomas Meriwether, deceased, praying to be allowed to survey one thousand four hundred and fifty-six acres of land, being the residue of a grant for ten thousand acres lying on the waters of New river, formerly obtained from the Governor and Council, by William Gray, Ashford Hughes, and others, who assigned their right therein to the memorialist, and to be empowered to convey the same to the purchaser, or purchasers, is reasonable.

The 1st resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered,* That a bill be brought in pursuant to the 1st resolution, and that the committee of Propositions and Grievances, do prepare and bring in the same.

The 2d resolution being read a second time, and upon the question being put, that it be recommitted to the same committee,

It was resolved in the affirmative.

Mr. Carrington reported, from the committee for Religion, to whom the report upon the petition of divers inhabitants of the parishes of Washington and Hanover was recommended, that the committee had, according to order, had the same under their farther consideration, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved, that it is the opinion of this committee,* That so much of the petition of divers inhabitants of the parishes of Washington and Hanover, as prays that that part of the parish of Hanover lying in Westmoreland county, be annexed to the parish of Washington, and that that part of the parish of Washington lying in the county of King George, be annexed to the parish of Hanover, is reasonable.

*Resolved, that it is the opinion of this committee,* That such part of the said petition as prays that the vestries of the said parishes of Washington and Hanover may be dissolved, is reasonable.

*Resolved, that it is the opinion of this committee,* That such other part of the said petition, as prays that the glebe of the parish of Washington, may be sold at such time as the vestry of the said parish shall think themselves able to purchase a more convenient glebe, is reasonable.

*Ordered,* That it be an instruction to the committee appointed to prepare and bring in a bill, "for the dissolution of certain vestries," that they receive a clause or clauses to the purport of the above resolutions.

Mr. Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration divers petitions of the inhabitants of the county of Fluvanna, praying a dissolution of the said county; also, divers other petitions in opposition thereto, to them referred, and had agreed upon a report, and come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

And it appears to your committee, that at the time the said county of Fluvanna was established, the boundary lines were run agreeable to a petition of the inhabitants of the county of Albemarle, as it stood entire, praying a division of the said county. It farther appears to your committee, that the number of tithables at present within the said county of Fluvanna amount to 844, or thereabouts.

Whereupon your committee came to the following resolutions:

*Resolved, that it is the opinion of this committee,* That the several petitions of the inhabitants of the county of Fluvanna, praying that a dissolution of the said county may not take place, is reasonable.

*Resolved, that it is the opinion of this committee,* That the several petitions of sundry other inhabitants of the said county of Fluvanna, praying a dissolution of the said county, be rejected.

Mr. Carrington presented, according to order, a bill, "to amend an act entitled 'an act for regulating and disciplining the militia;'" and the same was received and read the first time, and ordered to be read a second time.

*Ordered,* That Mr. Fleming have leave to be absent from the service of this House till Monday fortnight, and Mr. Cary till the 15th of next month.

Two petitions of the courts of the counties of Monongalia and Yohogania, were presented to the House, and read; setting forth, that it would occasion great disquiet in the minds of the people of the said counties, if a levy was to be laid for defraying the necessary expenses attending the ordinary administration of justice; and praying that they may be authorised to apply the fines collected by their respective sheriffs to that purpose.

*Ordered,* That the said petition be referred to the committee for Courts of Justice; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Edward Peterson, and others; setting forth, that being ordered by Capt. William Forman to guard five deserters, from the jail of Hampshire county to Winchester, they were at considerable expense in travelling; and praying some compensation for the same.

*Ordered,* That the said petition be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for reversing several public warehouses for the inspection of tobacco," being read,

*Ordered,* That the same be put off till Mouday next.

The order of the day, for a call of the House, being read,

*Ordered*, That the same be put off till to-morrow.

*Resolved*, That this House will again, to-morrow, resolve itself into a committee of the whole House, to take under their farther consideration, the state of the Commonwealth.

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, November 14, 1778.

Mr. Lee reported, from the committee of Public Claims, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

1. *Resolved*, that it is the opinion of this committee, That the petition of Thomas Berry; setting forth, that the petitioner, being informed that his son, Bradly Berry, late a soldier in the 4th Virginia regiment, whose time of service had expired, lay ill in the hospital at the Yellow Springs, in Pennsylvania, despatched a messenger and horse to bring him home; but before the messenger arrived at the hospital, the said Bradly Berry died; and praying to be allowed the expense incurred in travelling, is reasonable; and that the petitioner ought to be allowed the sum of 22*l*. 10*s*. to reimburse him the said expense.

2. *Resolved*, that it is the opinion of this committee, That so much of the petition of Richard Johnson, who commanded a volunteer detachment from the county of Caroline, as prays to be allowed the expense incurred by him for forage furnished his two horses, while stationed at Williamsburg and York, in July, 1775, be rejected.

3. *Resolved*, that it is the opinion of this committee, That such other parts of the said petition, as pray to be allowed the expense incurred by him for forage furnished his three horses, during the time he acted as major of the Caroline district battalion of minute men, when stationed at Newport; also for a drum which was carried off by the drummer and never recovered, is reasonable; and that the said petitioner ought to be allowed the sum of 4*l*. 19*s*. for the forage, and the farther sum of 2*l*. 2*s*. for the drum.

4. *Resolved*, that it is the opinion of this committee, That the consideration of the several petitions of David Gass, William Baskerville and John Salmon, ought to be deferred till the next session of Assembly.

5. *Resolved*, that it is the opinion of this committee, That the petition of Joseph Bybee, a soldier in Capt. Jorutt's company of the 7th Virginia regiment, who received a wound in one of his legs in the battle at Brandywine, which rendered him unfit for duty, and is at present incapable of getting a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and a farther allowance of half pay as a soldier for one year; and that the allowance of half pay as a soldier, for one year, ought to be charged in the account of this Commonwealth against the United States of America.

6. *Resolved*, that it is the opinion of this committee, That the petition of James Galt, keeper of the hospital; setting forth, that the salary formerly allowed him hath, from the great increase of lunatics, and the advanced price of every article of life, become inadequate to his services, and praying an augmentation thereof, is reasonable; and that the petitioner ought to be allowed the sum of 50*l*. per annum, in addition to his former salary as keeper of the said hospital; and also the sum of 12*l*. 10*s*. per annum, in addition to the salary formerly allowed, for the services of the matron.

7. *Resolved*, that it is the opinion of this committee, That the petition of Gabriel Maupin, keeper of the public magazines in and near Williamsburg, praying that his salary may be increased, it being at present equal to the pay of captain, which from the increase of business, and the advanced price of provisions, is inadequate to his services, is reasonable; and that the salary to the petitioner as keeper of the said magazines ought to be augmented to the pay of lieutenant colonel, and that he retain the rank of captain.

8. *Resolved*, that it is the opinion of this committee, That the petition of Samuel Woods, praying to be allowed for his servant man William Suter, who enlisted under Lieutenant Balloe, in the service of this State, be rejected.

9. *Resolved*, that it is the opinion of this committee, That the petition of Henry Field, whose wagon and team were impressed to assist in transporting the baggage, &c. of the seventh Virginia regiment on their march to head quarters, in which service one of the said horses was lost, and has not since been heard of, nor any satisfaction received for him, is reasonable; and that the petitioner ought to be allowed the sum of 12*l*., being the appraised value of the said horse, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

10. *Resolved*, that it is the opinion of this committee, That the petition of Bazil Noe; setting forth, that at the time the Culpeper militia marched to join the continental army, his wagon and team were employed in transporting the baggage, &c.; that on their return one of the horses were either stolen or strayed from the wagon, and hath not since been heard of, nor any satisfaction received for him, and praying an allowance, is reasonable; and that the petitioner ought to be allowed the sum of 20*l*. for the said horse, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

11. *Resolved*, that it is the opinion of this committee, That the petition of Peter Cummins, of the militia battalion, ordered from the county of Prince William, in September last, to join the continental army, praying to be reimbursed the expenses necessarily incurred by him in getting home, he being sick and unable to return with the battalion when discharged, is reasonable; and that the petitioner ought to be allowed the sum of 14*l*. 8*s*. to reimburse him his said



expenses, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

12. *Resolved, that it is the opinion of this committee,* That the petition of Joseph Braden, praying to be allowed for his horse which was impressed into the continental service by Lieut. Isham Keith, of the third Virginia regiment, and lost, is reasonable; and that the petitioner ought to be allowed the sum of 22*l*., being the appraised value of the said horse, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

13. *Resolved, that it is the opinion of this committee,* That the petition of Abraham Aaroo, praying to be allowed for repairing sundry arms belonging to the militia of Pittsylvania county, who were ordered out against the Indians, in the month of June last, is reasonable; and that the petitioner ought to be allowed the amount of his account, being 27*l*. 5*s*.

14. *Resolved, that it is the opinion of this committee,* That the petition of Stephen Terry, a soldier in the third Virginia regiment, who received a wound in his right shoulder in the battle at Brandywine, by which means his arm is become almost useless, and he at present rendered incapable of getting a livelihood by labor, is reasonable; and that the petitioner (having formerly received 25*l*. for his immediate relief,) ought to be allowed half pay as a soldier, for the term of six years, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

15. *Resolved, that it is the opinion of this committee,* That the petition of John Britt, praying an allowance for his trouble and expense in removing his son, a soldier in the fourth Virginia regiment, who lay sick at Portsmouth, to his house in the county of Southampton; also for nursing and maintaining him from the first of November to the first of April following, when he joined his regiment at the northward, and there died, is reasonable; and that the petitioner ought to be allowed the sum of 1*l*. 5*s*. for his trouble and expense in getting his son home, and a farther allowance of 10*d*. per day for 212 days nursing and maintaining him, amounting to the sum of 8*l*. 16*s*. 8*d*.; and that the said sums ought to be charged in the account of this Commonwealth against the United States of America.

16. *Resolved, that it is the opinion of this committee,* That the petition of Amos Dunham, praying to be allowed for his trouble and the expense incurred by him in nursing and maintaining a continental soldier, who was left at his house sick by Major Lockhart of the North Carolina troops, is reasonable; and that the petitioner ought to be allowed the sum of 7*l*. 6*s*.; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

The 1st, 2d, 3d, 4th, 5th, 9th, 10th, 11th, 12th, 13th, 14th, 15th and 16th resolutions being read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered,* That Mr. Lee do carry the 1st, 3d, 5th, 9th, 10th, 11th, 12th, 13th, 14th, 15th and 16th resolutions to the Senate, and desire their concurrence.

The 6th and 7th resolutions were read a second time, and the question being severally put that they be recommended to the same committee,

It was resolved in the affirmative.

A petition of Jeremiah Walker, was presented to the House, and read; setting forth, that in the years 1773 and 1774, he was committed to the jail of Chesterfield county, for preaching therein, and during his confinement, which lasted for some months, experienced great severity and cruelty; that he should not mention this circumstance, did not something recent render it necessary, to wit: his being taxed with the prison charges by the General Assembly; and praying as the days of persecution, on account of religious opinions, are now over, that his case may be reheard and reconsidered.

*Ordered,* That the said petition be referred to the committee of Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Kello reported, from the committee of Trade; that the committee had, according to order, had under their consideration, the account of the public trade, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved, that it is the opinion of this committee,* That the accounts of the public trade rendered by Mr. William Aylett, are of such an extensive nature, that it is impossible for your committee, during this session, fully to examine and investigate the same; and that the said account ought to be referred to proper persons to examine and state, and make report thereupon to this or the next session of Assembly.

*Resolved,* That Leighton Wood and John Beckley be appointed to examine and state the accounts of the public trade, under the management of William Aylett, gentleman, and that they make report thereof, to this or the next session of Assembly.

*Ordered,* That Mr. Kello do carry the said resolution to the Senate, and desire their concurrence.

Mr. Mason presented, according to order, a bill, "to direct the sale of certain lands, late the property of John Thornton, Esq. deceased, and for purchasing other lands in lieu thereof; and the same was received and read the first time, and ordered to be read a second time.

Mr. Page presented, according to order, a bill, "for speedily recruiting the Virginia regiments, on the continental establishment;" and the same was received and read the first time, and ordered to be read a second time.

*Resolved,* That the Governor be requested to order by the first opportunity, so much baize from the public store,



as will make under waistcoats, to be sent for the Virginia non-commissioned officers and soldiers in the continental army, and delivered to them gratis, and also such worsted or woollen milled caps, as may be in the said store, and one thousand blankets.

*Ordered*, That Mr. Parker do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That Mr. Napier have leave to be absent from the service of this House, till Wednesday se'nnight; Mr. Anderson, till Monday fortnight; and Mr. Lawson, for the remainder of the session.

Mr. Taliaferro presented, according to order, a bill, "for the manumission of George, late the property of John Thornton, Esq. and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill, declaring "marriages solemnized by dissenting ministers lawful," and that the committee for Religion do prepare and bring in the same.

*Ordered*, That Mr. McDowell be added to the committee for Religion; and Messrs. Nicholas, Delony, Samuel Goode, Curle, John Cannon, Duval and McCulloch, to the committee appointed to consider what compensation it may be just to make to Richard Henderson & Company.

Mr. Carter presented, according to order, a bill, "for more effectually guarding against counterfeiters of the paper currencies," and the same was received and read the first time, and ordered to be read a second time.

Two petitions of sundry freeholders and inhabitants of the counties of Prince William and Halifax, was presented to the House, and read; setting forth, that they are greatly alarmed at the assumption of a power by the late Assembly, to increase the allowance of the members thereof; and praying that the same may be reprobated by an act of the legislature.

Also, a petition of George Walton, in behalf of himself and others; setting forth, that in the year 1751, they obtained an order of Council, for 110,000 acres of land on Clinch river; that they have been prevented from surveying the same, partly by the Indian war, and partly by the King's proclamation; and praying, as the lands on Clinch are located by various grants, that they may be permitted to survey other lands on the western waters.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Lawson presented, according to order, a bill, "for vesting certain escheated lands in trustees, and for other purposes," and the same was received and read the first time, and ordered to be read a second time.

The Speaker laid before the House, a letter from Thomas Whiting, Esq. first Commissioner of the Navy, enclosing a state of the navy, and other papers.

And the said letter was read.

*Ordered*, That the said letter and papers do lie on the table, to be perused by the members.

Mr. Wilson presented, according to order, a bill, "for altering the court day of the county of Pittsylvania," and the same was received and read the first time, and ordered to be read a second time.

A petition of Thomas Watkins, was presented to the House, and read; setting forth, that being a lieutenant in the continental service, he was in March last, ordered to remain in Virginia for the purpose of apprehending deserters, in consequence of which he expended a considerable sum of money; and praying to be reimbursed the same.

*Ordered*, That the said petition be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill, "for extending the boundary line between Virginia and North Carolina," being read,

*Ordered*, That the same be put off till Tuesday next.

The orders of the day for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 11 o'clock.

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## MONDAY, November 16, 1778.

*Resolved*, That no petitions be received by this House, after Saturday next.

An engrossed bill, "for more effectually guarding against counterfeiters of the paper currencies," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for more effectually guarding against counterfeiters of the paper currencies."

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

A bill, "for speedily recruiting the Virginia regiments on the continental establishment," was read a second time, and ordered to be committed to a committee of the whole House on Wednesday next.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, forwarding a quantity of baize to camp for the use of the Virginia non-commissioned officers and soldiers, without any amendment.

They have also agreed to the bill, entitled "an act to supply the inhabitants of this Commonwealth with salt

on reasonable terms," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

*Ordered*, That a committee be appointed to confer with John Banister, Esq., upon such information as he can give with respect to the Virginia troops in the continental army, and make report thereof to the House.

And a committee was appointed, of Messrs. Page, Mason, Tazewell, and Nelson.

The House proceeded to take into their consideration the amendments made by the Senate to the bill, entitled "an act to supply the inhabitants of this Commonwealth with salt on reasonable terms."

And the said amendments being read, were agreed to by the House, with an amendment.

*Ordered*, That Mr. Mason do carry the bill to the Senate, and acquaint them with the amendment made by this House, and desire their concurrence.

A bill, "to amend the act, entitled 'an act for regulating and disciplining the militia,'" was read a second time, and ordered to be committed to a committee of the whole House on Thursday next.

The Speaker laid before the House a letter from the Governor, enclosing several letters from George Rogers Clarke, and Leonard Helm, Esquires, respecting their expedition to the Illinois.

And the said letters were read, and ordered to be referred to the committee of the whole House, on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for reviving several public warehouses for the inspection of tobacco," and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he was ready to report when the House should think proper to receive them.

*Ordered*, That the said report be received to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House on the bill, "to amend an act, entitled 'an act for raising a supply of money for public exigencies,'" being read,

*Ordered*, That the same be put off till Thursday next.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and on the bill, "to expel from this Commonwealth and prevent in future the return of such persons as have shewn themselves inimical to the liberties of America," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 11 o'clock.

## TUESDAY, November 17, 1778.

A new member returned upon a writ, having taken the oath required by law took his seat in the House.

A bill, "for altering the court day of the county of Pittsylvania;" was read a second time, and ordered to be committed to Mr. J. Wilson, of Pittsylvania.

A bill, "for vesting certain escheated lands in trustees, and for other purposes;" was read a second time, and ordered to be engrossed and read a third time.

A bill, "to direct the sale of certain lands, late the property of John Thornton, Esq. deceased, and for purchasing other lands in lieu thereof;" was read a second time, and ordered to be committed to Messrs. Fleming, Parker and Mason.

A bill, "for the manumission of George, late the property of John Thornton, Esq.;" was read a second time, and ordered to be committed to the committee of Propositions and Grievances.

*Ordered*, That Messrs. Carter, Parker, Curle and Mason, be added to the committee appointed to inquire into the state of the public prison, the manner in which the prisoners are treated, and the allowance that is made for their maintenance.

*Ordered*, That leave be given to bring in a bill, "for naturalization of foreigners;" and that Messrs. Parker and Tazewell do prepare and bring in the same.

*Ordered*, That it be an instruction to the committee, to whom the bill, "for the manumission of George, late the property of John Thornton, Esq.;" was committed; that they receive a clause or clauses, for the manumission of Sarah, Charles Harris and Walter Harris, late the property of Mrs. Judith Banks.

A petition of George Purdie, was presented to the House, and read; setting forth, that his negro man slave Moses, who was committed to the jail of the county of Isle of Wight for burglary, made his escape the night before the day appointed for his trial, and has never been heard of since; and praying that he may receive an allowance for him from the public.

Also, a petition of the representatives of Samuel Tomlinson, and others; setting forth, that those whom they represent, being part of the militia of the county of Ohio, engaged in the defence of the frontiers, were defeated by the Indians and their guns and accoutrements fell into the hands of the enemy; and praying satisfaction for the same.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Hite presented, according to order, a bill, "to amend an act, entitled "an act, for the better regulating and collecting certain officers' fees, and other purposes;" and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for admitting into this Commonwealth certain officers, who lately arrived at Hampton in a flag from New York, and rejecting certain others; and also for paying to James Campbell the sum of 30*l*. for his present relief, and making him a farther allowance of half pay as a lieutenant during life, from the 15th day of April, 1777; without any amendments. And then he withdrew.

Mr. Page, according to the order of yesterday, reported from the committee of the whole House, the amendments to the bill, "for reviving several public warehouses for the inspection of tobacco;" and the same being read and amended, were agreed to.

*Ordered*, That the bill with the amendments be engrossed and read a third time.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, respecting the claim of Richard Henderson and Company, and making some compensation for their trouble. And then he withdrew.

A Message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for appointing Leighton Wood and John Beckley, to state and adjust the accounts of the public trade, lately under the management of Colonel William Aylett; without any amendment.

They have also agreed to the bill, entitled "an act, to increase the allowance of the delegates of this Commonwealth in Congress."

They have also agreed to the bill, entitled "an act, to enable the Governor and Council to supply the Armies and Navies of the United States, and of their Allies, with grain and flour."

They have also agreed to the bill, entitled "an act, for establishing the town of Martinsburg in the county of Berkeley, and for other purposes;" with several amendments, to which they desire the concurrence of this House.

They also agree to the amendment made by this House, to their amendment to the bill "to supply the inhabitants of this Commonwealth with salt on reasonable terms." And then he withdrew.

A message from the Senate by Mr. Walker:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for altering the place of holding courts in the county of Spotsylvania." And then he withdrew.

The House proceeded to take into their consideration the amendments made by the Senate to the bill, entitled "an act for establishing the town of Martinsburg, in the county of Berkeley, and for other purposes;" and the same being read, were agreed to.

*Ordered*, That Mr. Hite do acquaint the Senate therewith.

*Ordered*, That the committee appointed to prepare and bring in a bill, "to discontinue several ferries," be discharged from proceeding on the instruction for receiving a clause or clauses for establishing a ferry across Roanoke river, from the land of Peyton Skipwith, knight, on the north side, to the land of Sir Peyton Skipwith, on the south side.

*Ordered*, That leave be given to bring in a bill, "for establishing a ferry across Roanoke and Dan rivers, from the land of Sir Peyton Skipwith, on the north side, to his land on the south side;" and that Messrs. Goode and Carter do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill to attain Benjamin Woodward and Benjamin Cook, unless they render themselves to justice within a certain time; and that Mr. Tazewell do prepare and bring in the same.

*Ordered*, That a message be sent to the Senate, desiring them to appoint a committee of their body to confer with a committee of this House, upon the compensation proper to be made to Richard Henderson and Company.

*Ordered*, That Mr. Mason do carry the said message to the Senate.

*Ordered*, That it be an instruction to the committee to whom was committed the bill, "to direct the sale of certain lands, late the property of John Thornton, Esq., deceased, and for purchasing other lands in lieu thereof," that they receive a clause or clauses for directing the sale of certain lots and houses in the town of Port Royal, the property of Mrs. Judith Bankes, and for purchasing other lands in lieu thereof, and for empowering the trustees so appointed to settle and pay off the debts and legacies of the said Judith Bankes.

Mr. Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the county of Southampton, praying that they may be empowered to erect a turnpike or toll gate on the bridge to be built across Nottoway river, at the courthouse of the said county, with a settled and moderate toll, or rate, to be paid by passengers crossing the same, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the county of Loudoun, praying that a ferry may be established across Potomac river, from the land of the Earl of Tankerville, (at present held by Christian Slimmer,) to the opposite shore, in the State of Maryland, is reasonable.



*Resolved, that it is the opinion of this committee, That the petition of Josias Clapham and Thomas Noland, praying that the ferry formerly established from the land of the said Clapham, in the county of Loudoun, across Potomac river, be discontinued, and that a ferry may be established from the land of Thomas Noland, in the said county, across the said river Potomac to the land of Arthur Nelson, on the opposite side, is reasonable.*

*Ordered, That it be an instruction to the committee appointed to prepare and bring in a bill, "for establishing several new ferries," that they receive a clause or clauses to the purport of the said resolutions.*

Mr. Tazewell presented, according to order, a bill, "for establishing a land office;" and the same was received, and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have appointed a committee of their body to confer with a committee of this House, upon the compensation proper to be made Richard Henderson and Company.

They have also agreed to a resolution of this House, for paying John Revelly the sum of 578*l.*, without any amendment. And then he withdrew.

A memorial of sundry inhabitants of this State, of the society of people called Quakers, was presented to the House, and read; setting forth, that not to engage in war is a fundamental tenet of their religion; that they have refused to take the test from motives of conscience, and have understood, that a bill is now depending before the House, which, if passed into a law, will subject them to great difficulties and sufferings; and praying such relief as may be thought just and reasonable.

*Ordered, That the said memorial be referred to a committee of the whole House, on the bill "to expel from this Commonwealth, and to prevent the return in future of such persons as have shown themselves inimical to the liberties of America."*

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the bill "to expel from this Commonwealth, and prevent the return in future of such persons as have shewn themselves inimical to the liberties of America," and also, on the state of the Commonwealth, being read,

*Ordered, That the same be put off till to-morrow.*

The order of the day for the House to resolve itself into a committee of the whole House, on the bill "for establishing a General Court, and other purposes," being read,

*Ordered, That the same be put off till Friday next.*

The order of the day for the House to resolve itself into a committee of the whole House, on the bill "for extending the boundary line between Virginia and North Carolina," being read,

*Ordered, That the same be put off till Saturday next.*

And then the House adjourned till to-morrow morning, 11 o'clock.

### WEDNESDAY, November 18, 1778.

Mr. W. Watkins presented, according to order, a bill "to revive, amend, and reduce into one, the several acts of Assembly, concerning highways, mill dams, and bridges;" and the same was received, and read the first time, and ordered to be read a second time.

A message from the Senate, by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the bill "for dividing the parishes of Camden and Amherst, and for other purposes," with several amendments, to which they desire the concurrence of this House.

The House proceeded to take into their consideration, the amendments made by the Senate, to the bill "for dividing the parishes of Camden and Amherst;" and the same being read, were agreed to.

*Ordered, That Mr. G. Carrington do acquaint the Senate therewith.*

Mr. Tyler presented, according to order, a bill, "to increase the salaries of certain officers of government," and the same was received and read the first time, and ordered to be read a second time.

The House proceeded to take into their consideration, the amendment made by the Senate, to the resolution for paying Stephen and Noble, 500*l.* 12*s.* 6*d.*, and the same being read, was agreed to.

*Ordered, That Mr. Lee do acquaint the Senate therewith.*

Mr. Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, the bill, "for the manumission of George, late the property of John Thornton Esq." and had gone through the same, and made several amendments thereto, which he was ready to report when the House should think proper to receive them.

*Ordered, That the said bill be recommitted to the same committee.*

*Ordered, That it be an instruction to the committee, to whom was committed the bill "for the manumission of George, late the property of John Thornton, Esq." that they receive a clause or clauses for emancipating any slave or slaves that the proprietor thereof may think proper, under certain restrictions.*

An engrossed bill, "for vesting certain escheated lands in trustees, and for other purposes," was read a third time.

*Resolved, That the bill do pass, and that the title be, "an act for vesting certain escheated lands in trustees, and for other purposes."*

*Ordered*, That Mr. Nicholas do carry the said bill to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "to empower the county courts to order such slaves as may be barbarously and inhumanly treated, to be sold," and that Mr. Nicholas do prepare and bring in the same.

*Ordered*, That it be an instruction to the committee, to whom is committed the bill "for altering the court day of the county of Pittsylvania," that they do receive a clause or clauses, for altering the court days of the counties of Henry and Botetourt.

The House proceeded to take in their consideration, the amendments made by the Senate to the resolutions for paying the sum of

Mr. Carter reported, from the committee of Propositions and Grievances, to whom the report upon the memorial of William Preston and William Thompson, executors of James Patton, deceased, was recommitted, that the committee had, according to order, had the same under their farther consideration, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and being amended was agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That so much of the memorial of William Preston and William Thompson, praying that certain lands taken up and surveyed by the said James Patton as yet remains of the order of Council of April 26th, 1745, may be granted to, and the right vested in the memorialists, to enable them to perform the contracts and wills of the said Patton, is reasonable; and that the said executors be empowered to take out patents for so much land as will complete the full quantity expressed in the order, agreeable to the terms thereof.

*Ordered*, That a bill be brought in pursuant to the said resolution, and that the committee of Propositions and Grievances, do prepare and bring in the same.

Mr. Lee reported, from the committee of Public Claims, that the committee had, according to order, had under their consideration the memorial of Messrs. Baker and Hardy, to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

It appears to your committee, that the memorialists did on the 26th day of January, 1776, contract with the committee of Safety for victualling two regiments of regulars, or any number not exceeding two thousand, to be stationed at different places on the south side of James river, at 7 1-2d. per ration, to commence the first day of March next following, and to continue for one year; the provisions to be at the risque of the contractors, except in case of accidents in the field of battle; all provisions on hand in that quarter at the commencement of this business, were to be taken (if to be spared) by the contractors, and in case of the discontinuance of the war, all provisions in the hands of the contractors were to be taken by the country.

It farther appears to your committee, that at the time your memorialists entered into the said business, they had the first and second battalions of minute men to supply with provisions, as well as the two regiments contracted for, and also, in a short time after, the 4th, 5th, and 8th regiments of regulars, together with a great number of the distressed inhabitants of Norfolk and Princess Anne counties; and the memorialists being well assured that the provisions procured by them to fulfil their contract with the committee of Safety, would be insufficient for the supply of the troops and others in that quarter, represented to the said committee the difficulty which they feared would attend their furnishing a number so much superior to that they had contracted for; that provisions had greatly increased in value, and they apprehended a sufficient quantity for the purpose could not be bought on the south side of James river; that the committee not being able to judge what number of troops might be ordered to that quarter, endeavored to contract with some person who would willingly undertake to victual the additional troops, but could not engage one to do it for less than 8d. or 9d. per ration; they then desired the memorialists to procure so much provisions as they could, and the country would allow them the difference of what they should be obliged to give over and above the rates they had before purchased at: in consequence whereof the memorialists procured a large quantity, for which they were obliged to give a considerable advance.

It farther appears to your committee, that about the last of May, the 8th regiment marched to South Carolina, and Col. Barbour who was under a contract with the committee of Safety, for supplying the 5th regiment at 8d. per ration, went down to Suffolk and insisted on furnishing that regiment, although the memorialists wished to continue to supply them at 7 1-2d. per ration, as they for some time past had done; about the 1st of June, the 1st and 2d regiments marched to Williamsburg, and soon after the minute men were discharged, leaving the 4th regiment only to be victualled by the memorialists, by which means the consumption of provisions having lessened considerably, a quantity which had been procured for the use of all the troops, became so much injured as to be unfit for use; 510 barrels of flour, being a part of the provisions herein mentioned, were, by order of the Governor and Council, bearing date the 17th day of April, 1777, sold; thereby to lessen as much as possible, the loss, whether the same should fall on this State, or the memorialists.

It farther appears to your committee, from the deposition of Densy Riddick, that he frequently assisted the memorialists in weighing and delivering provisions to the officers and soldiers at Suffolk, and had great opportunity of seeing and examining the same, being almost daily in the issuing house, and always found the flour to be very good; that he never saw, or heard any thing to the contrary, till about the 1st of September, when a few barrels were discovered to be musty and sour; that the deponent being desired by the memorialists to examine the said flour, and send to Portsmouth such only as should appear to be good, did continue to send part of it, which was received and issued to the troops there till the last of September, when the deponent received instructions from Portsmouth



not to send any more flour, for that the last load had been condemned by a court of inquiry as unsound and not fit for use; it farther appears that there remained on hand in Suffolk, 397 barrels of flour, weighing 89,409 lbs. nett, which was not merchantable, or such as the troops would receive:

That the memorialists, after being desired by the committee of Safety to provide for the additional troops, were obliged to give for a quantity of pork, as high as 4*l.* 10*s.* per barrel.

It farther appears to your committee, from the deposition of Mallary Todd, that he, at the request of Col. John Banister, sold 160 barrels of flour to the memorialists at 12*s.* per cwt., and delivered a considerable quantity purchased by the country, and given up by John Hawkins to the memorialists, all of which, as far as the deponent knows, was sound and merchantable, except one load (part of the flour received of Hawkins,) which was not very good, and as the deponent believes had been wet; that about the last of February, 1776, the deponent offered to sell a quantity of bacon to the memorialists at 6*d.* per lb., which they refused, saying that they had already engaged sufficient to fulfil their contract, but afterwards applied for it for the use of the additional troops, and were then obliged to give 7 1-2*d.* per lb.

It farther appears to your committee, from the deposition of Thomas Fiveash, who acted as assistant commissary to the memorialists in the town of Suffolk, where the greater part of the provisions were received, that the flour when received was sound and merchantable; that sometime about the month of August, the deponent being at Portsmouth, received from Suffolk a load of flour, which was adjudged as unsound and not fit for use; immediately another load was ordered down, which was likewise thought unfit for use; and sometime afterwards, on examination of the flour then on hand in Suffolk, that was also deemed bad; that the memorialists were obliged to give from 4*l.* to 4*l.* 10*s.* per barrel for pork, and 7 1-2*d.* per lb. for bacon, for the additional troops.

It likewise appears to your committee, from the deposition of James Young, who acted as assistant commissary to the memorialists at the Great Bridge, that some time early in the month of March, 1776, he issued flour that was complained of by the officers and soldiers, and not fit to be eaten, which flour he understood was part of that received of John Hawkins.

It farther appears to your committee, from the depositions of Alexander Stockdale, who acted as assistant commissary to the memorialists at Portsmouth, from the 14th day of June to 11th day of February, that no bad flour was received there or issued to the soldiers in that place until some time in July or August, when he received a quantity from Suffolk, which proved to be bad; but all that came down James river was sound and good.

It also appears, that the deponent purchased for the memorialists 50 barrels of pork at 3*l.* 5*s.*, and one shilling cartage per barrel.

It likewise appears, that soon after the commencement of his business he understood the memorialists had purchased a considerable quantity of bacon, at the rate of 7 1-2*d.* per lb. in order to comply with the instruction of the committee of Safety, for procuring provisions for the additional troops, which was transported to Portsmouth, where a great part of it spoiled for want of men to consume it, owing to the sudden removal of all the troops from the south side of James river, except the 4th Virginia regiment, which only remained to be furnished by them; that the inhabitants in and about Portsmouth, being greatly distressed for want of provisions, frequently applied to the deponent for relief; that in a few instances only, he did furnish them with a small quantity of bacon, purely to relieve their necessities, and not with a view of making a trade thereof; that he never knew the memorialists, or any person for them, to sell bacon at a higher price than one shilling per pound, but, on the contrary, they sold from that price, as low down as a penny per pound, according to its quality: and a great quantity was thrown away, being altogether unfit for use. And that he is well assured, the memorialists, so far from gaining by any sale which they made of their bacon, were considerable losers thereby.

It also appears to your committee, from the deposition of William Cooper, that he purchased of the memorialists, when he acted as commissary for this State, a small quantity of bacon, for which they charged him 7 1-2*d.* per pound.

It farther appears to your committee, from the deposition of Andrew Mackie, that in the month of May, 1776, Saml. Oldham, who was manager for Col. John Banister, stored about 300 barrels of flour in the deponent's warehouse, which he requested the said deponent to dispose of to the best advantage; in consequence of which the deponent offered the said flour to the memorialist, Baker, who at that time declined purchasing, urging the uncertainty of the continuance of the troops on that station, and the daily expectation of receiving a large quantity from James river; adding also, that, by having a considerable quantity on hand, it might possibly spoil: Col. Stephens, who was present at the conversation, advised Mr. Baker to purchase the flour; at the same time telling him, that a great many men depended on him for their daily subsistence, and in case the tenders should take the flour which was expected down James river, the consequence would be bad, and as the flour then offered by the deponent was at a very convenient place, he would advise him to take it. Mr. Baker, through the repeated advice of Col. Stephen, did accordingly contract for the flour at 13*s.* 6*d.* per cwt. and 20*d.* each cask, and desired the deponent to be particularly careful in not sending any down but what was good; on this deponent's inspecting the flour, he found it all to be sound and good.

It farther appears, that about a month before this flour was contracted for, the deponent entered into an agreement with Mr. Baker for all the flour he, the deponent, should manufacture that season, which he supposed would be about 500 barrels, at 13*s.* 6*d.* per cwt. and 20*d.* for each cask; but, as the troops were suddenly ordered away from Suffolk, and the memorialists had a large quantity of flour on hand, Mr. Hardy, one of the memorialists, came to the deponent's house, and desired he would not manufacture any more for some time, as they wished to consume what was



then on hand before they received any more, lest it should spoil; on this application, the deponent declined manufacturing for four months, at which time the said Hardy informed him, that the flour which they then had on hand had spoiled, and requested him to continue manufacturing, and to supply the troops at Portsmouth as soon as possible, which was accordingly done, till their time was out.

It farther appears to your committee, from the several depositions of William Davis, Thomas Price, George Purdie and John Mallary, that the memorialists had purchased from each of them a considerable quantity of bacon at 7 1-4d. per lb., and that this article could not be procured at a less price at that time.

It farther appears to your committee, from a certificate under the hands of James Wills, Thomas Smith and Daniel Hening, jun., dated January 2d, 1777, that agreeable to the appointment of Col. John Wilson, they waited on the assistant commissary to the memorialists to ascertain the number of barrels and quantity of flour condemned by Col. Robert Lawson, and that there appeared to be 365 barrels, weighing 88,295 lbs. gross.

It farther appears to your committee, from a certificate under the hand of General Stephen, dated September 29th, 1776, that he had served many campaigns in the service of the king and colonies and never found the army so well supplied with good and wholesome provisions as by the memorialists.

Whereupon, your committee came to the following resolution :

*Resolved, that it is the opinion of this committee, That the memorial of the said Baker and Hardy, is reasonable; and that the memorialists ought to be allowed the sum of 925*l*. 7*s*. 4 1-2*d*., being the balance due to them as per account produced.*

*Ordered, That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.*

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for speedily recruiting the Virginia regiments on the continental establishment," being read,

*Ordered, That the same be put off till to-morrow.*

A memorial of John Blair, Esq. in behalf of himself and his associates, was presented to the House, and read; setting forth, that in the year 1751, the said Blair's father and others, obtained a grant from the then government, for 160,000 acres of land: for surveying 100,000 of which they were allowed four years, and for surveying the remainder five years more; that various accidents have prevented such surveys taking place, and informing the House that his only aim is, that the rights of the company may receive no prejudice from silence.

*Ordered, That the said memorial do lie on the table.*

A petition of the inhabitants of the town of Winchester was presented to the House, and read; setting forth, that they are subject to many inconveniences for want of a power to regulate the affairs of the said town; that these would be remedied if they were to be erected into a corporation; and praying that the same may take place.

Also, a petition of William Robertson and William Robertson, jun.; setting forth, that at Culpeper court, in April, 1778, they were tried under the act "for the punishment of certain offences;" that though the only charge against them was founded on complaints uttered by them against unjust discriminating draughts, they were fined to a considerable amount, and have undergone a severe imprisonment in consequence thereof, and praying relief.

*Ordered, That the said petitions be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.*

A petition of John Raines, was presented to the House, and read; setting forth, that a wagon and team belonging to him, were impressed for the purpose of carrying the baggage of the 4th Georgia battalion of continental troops from Petersburg in this State, to Wilmington in North Carolina, in which service and on their return home they were employed thirty-two days, and praying to be paid for the same.

Also, a petition of Sarah Humphreys; setting forth, that her husband being a continental soldier, fell before the walls of Quebec, by which she is left destitute, with a helpless infant to maintain; that the greater part if not the whole of the fortune which she brought with her is liable to the payment of her said husband's debts, who died intestate, and praying that the House may take her case into consideration.

*Ordered, That the said petitions be referred to the committee of Public Claims, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.*

A petition of Matthew Phipp and Stephen Tankard, was presented to the House, and read; setting forth, that finding that their claims upon the public for property destroyed in the borough of Norfolk, was postponed for further proof, they are now ready with authentic documents, and praying that their case may be taken into consideration, and proper relief granted.

*Ordered, That the said petition be referred to the committee appointed to examine the report of the commissioners appointed to ascertain the losses of the late inhabitants of Norfolk, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.*

A petition of Benjamin Winslow, was presented to the House, and read; setting forth, that he is entitled to an ensigu's proportion of land, under the proclamation of his Britannic Majesty in 1763, and has never received any warrant for the same, and praying that his claim may be secured.

*Ordered, That the said petition do lie on the table.*

The orders of the day for a call of the House, and for the House to resolve itself into a committee of the whole House, on the bill, "to enable the treasurer to borrow a farther sum of money;" and on the state of the Commonwealth; being read,

*Ordered, That the same be put off till to-morrow.*

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "to expel from this Commonwealth, and to prevent the return in future, of such persons as have shewn themselves inimical to the liberties of America;" being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till to-morrow morning, 11 o'clock.

#### THURSDAY, November 19, 1778.

The House being informed that Mr. George Mason, one of the members for the county of Fairfax, attended in custody of the serjeant at arms;

*Ordered*, That the said George Mason be discharged out of custody, paying fees.

Mr. Page reported, from the committee appointed to confer with John Banister, Esq., that the committee had according to order, conferred with that gentleman, and had agreed upon the following report:

Your committee have, according to order, conferred with John Banister, Esq. and have agreed upon the following report:

That the best mode of conveying clothes and other necessities for the use of the troops, is to send them under the care of an officer, who shall have orders to deliver them to the several brigades, and to take receipts; being shewn to the general, he will give his receipt for so much from this State.

That the great failure of the clothes heretofore sent from this State, has been occasioned by their falling into the hands of the clothier-general, who distributes them among the continental, instead of the State troops.

*Ordered*, That the said report do lie on the table.

The House proceeded to take into their consideration, the amendment made by the Senate to the resolution of this House, for allowing a sum of money to William Jones;

And the said amendment being read, was agreed to.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Parker presented, according to order, a bill, "for the naturalization of foreigners;" and the same was received and read the first time, and ordered to be read a second time.

Two petitions of sundry inhabitants of the county of Augusta, were presented to the House, and read; setting forth, that they labor under great inconveniences by reason of their distance from their courthouse; and praying that the said county may be divided.

*Ordered*, That the consideration of the said petitions be referred to the consideration of the next session of Assembly.

Mr. Carter reported, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as followeth:

1. *Resolved*, that it is the opinion of this committee, That the petition of the justices of the county of Rockingham in behalf of themselves and the other inhabitants of the said county, and the petition of sundry inhabitants in the lower end of Augusta county; praying that part of the county of Augusta may be added to and made part of the county of Rockingham, is reasonable.

2. *Resolved*, that it is the opinion of this committee, That the petition of sundry other inhabitants of the said county of Augusta, in opposition thereto, be rejected.

3. *Resolved*, that it is the opinion of this committee, That such part of the said petition of the justices of the county of Rockingham, in behalf of themselves and the other inhabitants of the said county, as prays that the glebe in the parish of Augusta may be sold, and that they may be allowed their proportion of the money arising from such sale, agreeable to their number of tithables, is reasonable; and that the said money be appropriated towards purchasing glebes in the parishes of Rockingham and Augusta.

4. *Resolved*, that it is the opinion of this committee, That such other part of the said petition, as prays that the inhabitants of the said county may be allowed their share of the tobacco, levied for the county of Augusta, in the public proportion laid last session of Assembly, is reasonable.

5. *Resolved*, that it is the opinion of this committee, That such other part of the said petition, as prays that commissioners may be appointed to ascertain the value of the churches, courthouse and jail of the county of Augusta, and that the inhabitants of the said county of Rockingham may be allowed a just proportion of such estimate, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of Jane Miller, praying that her husband Alexander Miller, who is in the jail of the county of Augusta, may be removed to the jail of the county of Rockingham, be rejected.

The 1st, 2d, 3d and 5th resolutions, being read a second time, and the question being severally put, that the same be referred to the consideration of the next session of Assembly,

It was resolved in the affirmative.

The 4th resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the 4th resolution to the Senate, and desire their concurrence.

The Speaker laid before the House, a letter from the Governor, enclosing several letters and papers from Lient. Col. Clarke, and Captain Leonard Helm.

And the said letters and papers being read, were referred to Messrs. T. Mason, G. Mason, T. Hite, Tazewell, Trigg, Nicholas, Tyler, Meriwether, G. Carrington, Custis, Claiborne, Parker, Page, Avery, and Curle, to whom leave is given to prepare and bring in a bill, "for establishing a county, to include the inhabitants of this Commonwealth, on the western side of the Ohio river, and for the better government of those inhabitants."

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for speedily recruiting the Virginia regiments on the continental establishment;" and after some time spent therein, Mr. Speaker resumed the chair; and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

*Resolved*, That all the blankets and woollen caps which have been heretofore or shall hereafter be sent to the northward, by directions of the Governor and Council, for the use of the Virginia troops in continental service, shall be distributed among the non-commissioned officers and soldiers gratis; provided, that this allowance or gratuity shall not extend to more than one cap and one blanket for each non-commissioned officer and each soldier of the aforesaid troops, in the course of any one year.

*Ordered*, That Mr. Parker, do carry the said resolution to the Senate, and desire their concurrence.

A memorial of Robert White, was presented to the House, and read; setting forth, that while he was acting as a lieutenant, in the 12th Virginia regiment, in June, 1777, his thigh was broken by a ball which he received in an engagement with the enemy, and he is rendered incapable of maintaining himself; and praying such relief, as may be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of Charles Simms, was presented to the House, and read; setting forth, that Col. Croghan, having made a considerable purchase of territory from the Mohock, Oneida, Tuscarora, Onandoga, Cayuga, and Seneca tribes of Indians, the same was on the 4th day of November, 1768, confirmed to him at Fort Stanwix; that a large interest therein, has since vested in your memorialist by several mesne assignments; and praying that his right may be secured to him.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the public printer do forthwith print 170 copies of the "act to supply the inhabitants of this Commonwealth with salt on reasonable terms;" 150 of which shall be for the use of the several commissioners to be appointed under the said act, and the remaining 20 for the use of the several Naval Officers within this Commonwealth.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill, "to amend the act, entitled 'an act for regulating and disciplining the militia,'" being read,

*Ordered*, That the same be put off till Monday next.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill, "to amend an act, entitled 'an act for raising a supply of money for public exigencies,'" being read,

*Ordered*, That the same be put off till Tuesday next.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill, "to empower the treasurer to borrow a farther sum of money," being read,

*Ordered*, That the same be put off till Friday se'nnight.

And then the House adjourned till to-morrow morning, 11 o'clock.

FRIDAY, November 20, 1778.

A message from the Senate by Mr. Holt:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying several sums of money to certain of the inhabitants of Norfolk, without any amendment. And then he withdrew.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have receded from their amendment to the resolution of this House, for paying a sum of money to Stephen Fisher.

They have also agreed to a resolution, for allowing thirty pounds for present relief, and half pay as a soldier,



to Samuel Ingram for the term of four years, and 40*l.* to reimburse him the expense of the doctor, with an amendment, to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Coles :

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying to Adam Craig, assistant clerk of the General Court, 120*l.*, and to Matthew Moody, cryer, 100*l.*, with several amendments, to which they desire the concurrence of this House.

Also, to the resolution, for paying James Shields, sheriff of York county, 75*l.*, and John Fenton, tipstaff, 21*l.* 10*s.*, without any amendment. And then he withdrew.

A petition of John Hook, was presented to the House, and read ; setting forth, that a horse, belonging to him, was impressed for the purpose of conveying John Goodrich from Bedford to Charlottesville, which has never been returned to him ; and praying to be paid the valuation of the said horse.

Also, a petition of Thomas Clarke ; setting forth, that being a serjeant in the 10th Virginia regiment, he received a wound in the battle at Brandywine through one of his arms, which has incapacitated him from getting a livelihood by labor ; and praying relief.

Also, a petition of James Bunch ; setting forth, that being engaged in the defence of the frontiers, in 1777, he received several wounds in an engagement with the Indians, whereby he is rendered unable of supporting himself ; and praying relief.

Also, a petition of Thomas Johnson ; setting forth, that being a captain in the regular service, and about to march with his quota of men to join his regiment, in the year 1776, he hired a cart with two steers, of one Charles Yancey, to convey their baggage and provisions ; that on their return home, the two steers died, and the petitioner being sued by the said Yancey in consequence thereof, he was condemned to pay 12*l.* 12*s.* besides costs of suit, which amounted to 2*l.* 13*s.* 6*d.* ; and praying to be reimbursed the same.

Also, a petition of Jonathan Herrin ; setting forth, that Jonathan Herrin, jun., a soldier in the continental service, lay sick at the petitioner's house, from the 19th of October, 1776, to the 1st of March, 1777, at his expense ; and praying some satisfaction for the same.

Also, a petition of William Dillon ; setting forth, that his son, Jesse Dillon, a soldier in the State artillery, was taken sick on his way home on furlough, in July, 1777 ; that the petitioner was at much trouble and expense in sending for him and nursing ; and praying satisfaction for the same.

Also, a petition of Benjamin Sadler ; setting forth, that being a soldier in the 9th Virginia regiment, and taken by the British at the battle at Germantown, he was thrown into a British jail ; that during his imprisonment, he fell down the stairs, and hurt his left leg, whereby he is in danger of a mortification ; and praying to be enabled to employ a skilful surgeon.

Also, a petition of Benjamin Rogers and others, in behalf of themselves and the representatives of Matthew Atkinson and others ; setting forth, that the said Rogers and others were engaged in the defence of the frontiers, in 1777 ; that in a skirmish with a large party of Indians, the said Atkinson and many others were killed, and several guns, blankets and accoutrements taken ; and praying compensation for the same.

Also, a petition of Sarah Duke ; setting forth, that her husband, being a commissary in the county of Ohio, in September, 1777, was killed in passing from Beach-bottom fort to fort Henry, by a party of Indians, who took his gun, a mare, saddle, bridle and saddlebags ; and praying to be reimbursed for the same.

Also, a petition of John Wilson ; setting forth, that one Matthew Atkinson, who was ordered to go express to fort Henry, at the time the fort was attacked, impressed a horse, saddle and bridle belonging to the petitioner, which fell into the hands of the enemy ; and praying a reasonable satisfaction for the same.

Also, a petition of William Weldie ; setting forth, that being a soldier in the continental service, and having been taken by the enemy, at the battle at Germantown, he was thrown into a jail at Philadelphia ; that during his confinement a fever fell into one of his legs, which is now so bad, as to require the aid of a skilful surgeon ; and praying that he may be enabled to employ one.

Also, a petition of Thomas Logwood ; setting forth, that he lost two horses in the service of this State, on the Cherokee expedition, in 1776 ; and praying such allowance for the same as may be thought just and reasonable.

Also, a petition of Thomas Ramsey ; setting forth, that at the desire of Captain Aaron Lewis, one of the captains in the Cherokee expedition, he took into his house one Abraham Crabtree, a sick soldier, and was at considerable expense in taking care of him ; and praying such allowance as may be thought just and reasonable.

Also, a petition of Edward Douglass ; setting forth, that a horse belonging to him, was impressed for the service of the public on the Cherokee expedition in 1776, and has not been returned him, and praying to be allowed the valuation of the said horse.

Also, a petition of Leonor Bowen ; setting forth, that she nursed and took care of one John Bowen, a soldier in the continental service, who was sick, at her own house from the 10th day of September, 1776, till the 10th of March following ; and praying for such allowance as may be thought just and reasonable.

Ordered, That the said petitions be referred to the committee of Public Claims, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the vestry and inhabitants of the upper parish of Nansemond county, was presented to the House, and read ; setting forth, that the dwelling house and kitchen on the glebe of the said parish being burnt down, which cannot be now rebuilt for want of materials, and a work house having been erected in pursuance of a late act of

Assembly, which has not answered the purpose intended, it would be of great advantage to them if the same were sold; and praying that an act may pass for that purpose.

*Ordered*, That the said petition be referred to the committee for Religion, that they do examine the matter thereof, and report the same with their opinion thereupon, to the House.

A petition of the inhabitants of the north and south fork and of the south branch of the river Potomac, was presented to the House, and read; setting forth, that they labor under many inconveniences by reason of their distance from their courthouse; that they have long expected a county of their own; and praying that one may be established according to the boundaries in the said petition expressed.

Also, a petition of the inhabitants of the town of Staunton; setting forth, that the streets and canals of the said town are frequently out of repair, and no fund is provided for repairing the same; and praying that an act may pass, empowering the trustees to assess them for that purpose.

Also, a petition of sundry inhabitants whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they are proprietors of lots, adjoining the town of Alexandria, under a conveyance of John Alexander, deceased, made in the year 1774; that they covenanted with the said Alexander to make certain improvements thereon within two years, which they have been prevented from making by the dearth of materials and workmen; that the heir of the said Alexander being an infant, no compromise can be made with him upon this subject, nor can he be compelled as yet to lay off two additional streets, agreeable to the covenant of his father, the said Alexander; and praying that the said lots may be added to the town, the two additional streets laid off, and the time for making the stipulated improvements prolonged.

Also, a petition of the trustees of the town of Alexandria; setting forth, that doubts have arisen, whether they had a right to lease out the ground on certain points in the said town; and also, whether John Carlyle and William Ransey, could properly dispose of some sunken ground, which they have sold to Messrs. Fitzgerald and Peers; and praying that after considering their state of the case, an act may pass to confirm their proceedings with respect to the premises.

Also, a petition of the Ohio Company; setting forth, that in the year 1743, the said company was formed for the purpose of exploring the country westward of the great mountains on both sides of the Ohio river; that they obtained a grant for 500,000 acres of land, and were at considerable trouble and expense in clearing roads and making settlements thereon; that several of the shares belong to persons resident in Great Britain; and praying that such of the members of the said company as live in Virginia and Maryland may receive patents in the common form as soon as a land office shall be established, each in his own name, for his due share or proportion of 200,000 acres of the said grant.

Also, a petition of Ezekiel Field; setting forth, that his late father John Field, being entitled to a captain's proportion of land under the royal proclamation, he by will devised it to the petitioner; that the said John Field, made two settlements on the Kanawha, where he proposed to locate his claim; that the petitioner was unable to get a warrant for the same from Lord Dunmore at the time others succeeded in like application; and praying that his claim may be secured.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

1. *Resolved*, that it is the opinion of this committee, That the petition of Edward Peterson, John Bluew, sen., Richard Williams, sen., Remembrance Williams, John Ross, Edward Leston, Windle Glaze and Thomas Green, who were ordered by Capt. William Forman, to guard five deserters belonging to the continental army, from the jail of Hampshire to the town of Winchester, praying an allowance for their services and the expenses incurred by him in travelling, is reasonable; and that the petitioners ought to be allowed, each, the sum of 4*l*.; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

2. *Resolved*, that it is the opinion of this committee, That the petition of William Tyler, praying to be allowed for nursing and maintaining three soldiers, of the tenth battalion of North Carolina troops, who on their march to head quarters were left at his house sick, and there remained three weeks, is reasonable; and that the petitioner ought to be allowed the sum of 11*l*. 6*s*. 6*d*.; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

3. *Resolved*, that it is the opinion of this committee, That the petition of Amy Barrett, whose husband, Jonathan Barrett, entered on board the Raleigh, belonging to this State, was taken and carried by the enemy to New York, and there died, leaving the petitioner and two small children in a distressed situation, and praying relief, be rejected; the petitioner being entitled to the benefit of the act of Assembly, empowering the county courts to make provision for the immediate support of the widows, whose husbands have died or been slain in the service.

4. *Resolved*, that it is the opinion of this committee, That the several petitions of Elias Barnaby, Margaret Hamilton, James Dunn, Richard Morris and John White, be rejected.

5. *Resolved*, that it is the opinion of this committee, That the several petitions of Thomas Collis, William McClanahan, Margaret Rawlings and William Lewis, be rejected, for want of proof.



The 1st, 2d, 3d and 5th resolutions being read a second time, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do carry the 1st and 2d resolutions to the Senate, and desire their concurrence.

The 4th resolution being read a second time, and the question being put that it be recommitted to the same committee,

It was resolved in the affirmative.

Mr. Lee reported, from the committee of Public Claims, that the committee had, according to order, had under their consideration the petition of Sarah Humphreys, to them referred; and also, two petitions to them recommended; and have agreed upon a report, and come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended, were agreed to, as followeth:

It appears to your committee, that John Humphreys, a few months after his intermarriage with the petitioner, entered as lieutenant into the service of this State, and in an action at the walls of Quebec, unfortunately fell; that at the time of their intermarriage, the petitioner was possessed in her own right, of an estate in slaves and money, to a considerable value, the greater part of which hath already been subjected to the payment of his debts, and the residue is at present likely to be applied to that purpose also: by which means she, together with a helpless infant, who is an idiot, and depends altogether on her for support, are left in necessitous circumstances;

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the said petition is reasonable; and that the petitioner ought to be allowed the sum of 200*l.* for the present relief of herself and child, which sum ought to be charged in the account of this Commonwealth against the United States of America; and that their situation be represented to Congress.

*Resolved*, that it is the opinion of this committee, That the petition of James Galt, keeper of the hospital for the reception of lunatics, praying an increase of salary, is reasonable; and that the petitioner ought to be allowed the sum of 100*l.* per annum, in addition to his salary as keeper of the said hospital; also, the sum of 25*l.* per annum, in addition to the salary allowed for the matron's services.

*Resolved*, that it is the opinion of this committee, That the petition of Gabriel Maupin, keeper of the public magazines, in and near the city of Williamsburg, praying an augmentation of his salary, is reasonable; and that the petitioner's salary ought to be increased to seventy-five dollars per month, and that he shall not retain the rank of captain.

*Ordered*, That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.

*Ordered*, That the Governor be desired to transmit a copy of the report and resolution respecting Sarah Humphreys, to the continental Congress.

Mr. Campbell presented, according to order, a bill, "for directing the duty of surveyors of land, and ascertaining the mode of their appointment;" and the same was received and read the first time.

And the question being put that the said bill be read a second time,

It passed in the negative.

A petition of sundry inhabitants on the west fork of Monongalia river, and the river Buchanan, and in Tyger's valley, was presented to the House, and read; setting forth, that they are subject to the penalties inflicted on non-jurors, although the true cause of their not having taken the teste was, that no justice attended to administer it; and praying relief.

*Ordered*, That the said petition do lie on the table.

A petition of Elizabeth Singleton was presented to the House, and read; setting forth, that some time ago, she was wounded in the right shoulder by the accidental discharge of a gun, while in the hands of a soldier; whereby she is rendered incapable of labor; and praying to be allowed such relief as may be thought just.

A motion was made and the question being put, that the said petition be referred to a committee,

It passed in the negative.

*Ordered*, That leave be given to bring in a bill, "to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service;" and that General Nelson and Mr. Page, do prepare and bring in the same.

*Ordered*, That Mr. George Mason, be added to the committee of Privileges and Elections, Propositions and Grievances and of Trade, for preparing and bringing in a bill, "for appointing commissioners to ascertain the claims to unpatented lands," and for setting a compensation for Richard Henderson & Company; Messrs. Brown, Washington, Claiborne, J. Nelson, Avery, and Taliaferro to the committee for Religion.

Mr. G. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration the petition of Jeremiah Walker, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, and being amended, was agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Jeremiah Walker, praying that the value of the tobacco which was levied on him in the last public proportion for prison fees, whilst confined in the jail of Chesterfield county for a breach of the peace, may be refunded, be rejected.

Mr. Nicholas reported, from the committee to whom the petitions of Matthew Phripp, on behalf of himself and the representatives of John Phripp, deceased, Stephen Tankard and Nathaniel Littleton Savage, were referred, that



the committee had according to order, had the same under their consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to, as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of the said Matthew Phripp and Stephen Tankard, praying that an allowance may be made them for their property destroyed in the borough of Norfolk by the State troops, is reasonable.

*Resolved, that it is the opinion of this committee,* That the said Matthew Phripp and the other representatives of John Phripp, deceased, ought to be allowed the sum of 2,130l. 13s.

*Resolved, that it is the opinion of this committee,* That the said Stephen Tankard ought to be allowed the sum of 1,204 pounds.

It appears to your committee, that Nathaniel Littleton Savage, owned one full share in the new distillery that was destroyed by order of Convention, which share he purchased sometime before the destruction of the borough of Norfolk, of Archibald Campbell, for the sum of 500l.; that at the time of the destruction of the said borough, there was a considerable quantity of molasses in the same; that the building was not within the limits of the said borough.

Whereupon, your committee came to the following resolution:

*Resolved, that it is the opinion of this committee,* That the said Nathaniel Littleton Savage, ought to be allowed the sum of 500l.

*Ordered,* That Mr. Nicholas do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Parker reported, from the committee to whom was committed the bill, "to direct the sale of certain lands, late the property of John Thornton, Esq. deceased, and for purchasing other lands in lieu thereof;" that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered,* That the said bill, with the amendments, be engrossed and read a third time.

*Ordered,* That Mr. Curle have leave to be absent from the service of this House, till Monday se'nnight.

The order of the day for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered,* That the same be put off till to-morrow.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill, "to amend an act, entitled 'an act, for establishing a general Court, and other purposes,'" being read,

*Ordered,* That the same be put off till Tuesday next.

The order of the day, for the House to resolve itself into a committee of the whole House, to take into their farther consideration the bill, "for speedily recruiting the Virginia regiments on the continental establishment," being read,

*Ordered,* That the same be put off till Monday next.

And then the House adjourned till to-morrow morning, 11 o'clock.

## SATURDAY, November 21, 1778.

Another member having taken the oath required by law, took his seat in the House.

*Ordered,* That Messrs. Southall, Cabell, J. Carrington and Kennon, be added to the committee for examining the treasurer's accounts; Mr. G. Mason, to the committee to whom the memorial of the Rector and Governors of William and Mary College is referred; and Mr. Hutcheson, to the committee of Propositions and Grievances.

A message from the Senate by Mr. Fleming:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for furnishing the Virginia non-commissioned officers and soldiers in the continental service, with blankets and woollen caps, without any amendment. And then he withdrew.

It appearing that the public foundry on James river is now complete, and for want of proper workmen, that useful work is of no advantage to the State;

*Resolved,* That John Revely be empowered to look out for, and employ at the public expense, any number of workmen not exceeding three, who may be well acquainted with the method of casting cannon &c., and after procuring the same, that he superintend and direct the management of the said work, and that he provide such necessaries as may be required for the most effectual carrying on the same; and that he be allowed the sum of 400 dollars for his necessary expense in procuring the aforesaid workmen, to be settled and accounted for in the settlement of his public account.

*Ordered,* That Mr. Southall do carry the said resolution to the Senate, and desire their concurrence.

The House, according to the order of the day, was called over, and the names of the members who failed to appear were noted: and the names of those who made default, being again called over, some were excused on account of sickness, employments in the service of the public elsewhere, and other justifiable avocations.

*Ordered*, That the members who are absent, and for whom no excuses or insufficient excuses have been made, be taken into custody by the serjeant at arms attending this House.

*Ordered*, That the serjeant at arms take into his custody, the following members of this House, to wit: James Buford, Patrick Lockhart, William McClanahan, Joseph Peebles, John Clayton, Miles King, Isaac Zane, Lewis Burwell, John S. Wills, Charles Bell, John Selden, Thompson Mason, Thomas Tabb, Samuel Goode, Henry Deloney, Philip Grymes, Beverley Daniel, Willis Riddick, James Murdaugh, John Bowdoin, David McLure, Charles Parter, William Robinson, William Smith, Thomas Hewitt, William Brent, Benjamin Putney, Gray Judkins, Edward Harwood and Joshua Wright.

The House being informed that Mr. Willis Riddick, one of the members for the county of Nansemond, and Mr. Benjamin Putney, one of the members for the county of Surry, attended in custody of the serjeant at arms:

*Ordered*, That the said Willis Riddick, and Benjamin Putney, be discharged out of custody, paying fees.

*Ordered*, That there be a call of the House on Monday next.

*Ordered*, That Mr. Rufin have leave to be absent from the service of this House, till Wednesday se'nnight.

A petition of George Thornton, was presented to the House, and read; setting forth, that in June last, he had a horse impressed into the continental service, which has not been returned to him; and praying to be allowed the appraised value.

Also, a petition of Daniel Morgan and Edward Snickers; setting forth, that they furnished thirteen guns for the use of the Frederick militia, when ordered into service on the Ohio; and praying a reasonable compensation for the same.

Also, a petition of Sarah Morton; setting forth, that her husband was a lieutenant on board of the Revenge schooner, in the service of this State; and was taken and carried into New York, where he now remains a prisoner; and that she is left helpless, with a sucking child to maintain, and praying relief.

Also, a memorial of John De Lequeyra; setting forth, that from the first establishment of the hospital in this city, he has attended the patients there, in the character of a physician, and has received no compensation for his services; and praying such allowance as may be thought reasonable.

Also, a memorial of Margaret Drake; setting forth, that her husband who was a lieutenant of a company of militia ordered to Kentucky, was killed by the Indians, and several valuable horses, which accompanied him at the time of his death, taken in consequence thereof, whereby the petitioner is left in great distress; and praying relief.

Also, a memorial of William Buchanan; setting forth, that while employed in the defence of Kentucky, he was obliged to take two of his own horses to carry baggage and provisions, which were stolen by the enemy; and praying such allowance for the same as may be thought just.

Also, a petition of John South and Ephraim Drake; setting forth, that each of them had a horse impressed for the use of the Kentucky militia; and praying to be allowed the value of the said horses.

Also, a petition of William Lyle; setting forth, that he was appointed commissary of the militia sent to Fort Randolph in July last; that he has submitted his accounts to the examination of the auditors, who refuse to pass them; and praying relief in the premises.

*Ordered*, That the said memorials and petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of the officers belonging to the Navy of this Commonwealth, was presented to the House, and read; setting forth, that the public service has sustained great injury from officers being obliged to quit it from the scantiness of the pay; that they are determined to remain in their respective employments, so long as they consistently can, but their pay is wholly insufficient for their subsistence; and praying an augmentation thereof.

*Ordered*, That the said memorial be referred to Messrs. Parker, Nicholas, Lyne, J. Smith, Burr Harrison, Tyler, Tazewell and Pickett; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of several inhabitants of the county of King William, was presented to the House, and read; setting forth, that they experience many evils from the want of a law to regulate the payments of salaries to the clergy of the church of England; and praying that one may be enacted to that effect.

*Ordered*, That the said memorial be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Jacob Ellegood, was presented to the House, and read; setting forth, that he has been near three years in confinement at a great distance from his plantation, which has suffered much from his absence; and praying that he may be permitted to reside thereon.

Also, a petition of sundry inhabitants of the county of Bedford and Amherst; setting forth, that a ferry at the Good Ford, over the Fluvanna river, would be of great benefit to travellers; and praying that one may be established on the land of Nicholas Davis.

Also, a petition of Martin and John Grider; setting forth, that they are desirous to return to their allegiance to this State; and praying to be restored to the rights of citizens.

Also, a petition of Isaac Libo; setting forth, that he was convicted in the county court of Washington, under the act for punishing certain offences, upon a deposition taken ex parte, and sentenced to suffer three months imprisonment, and pay 75*l*.; that the said court are convinced of the hardship of the said sentence, but do not conceive they have any power to mitigate it; and praying relief.



Also, a memorial of the administrators of the estate of John Robinson, Esq., deceased; setting forth, that their intestate was interested with several other gentlemen, in an order of Council, obtained in 1753, for surveying 100,000 acres of land, on Greenbrier river; that they cannot give the House any authentic accounts thereof at present; and praying that their claim may remain open, and not be prejudiced by not being now laid fully before the Assembly.

*Ordered*, That the said petitions and memorial be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That all petitions and memorials which are ready to be presented to the House on this day, be delivered in to the clerk, who shall take a list of the same, and enter them on the Journal as received on this day; but they shall be read at a future day.

The petitions of George Mason, John Brett, Andrew Little, Abraham Bogard, Edward Pickett, James Scott, Thomas Veale, Thomas Jordan, jun., Robert Tucker, Richard Harwell, John Callaway, Sarah Brown, Charles Gwatkins, James Davis, Peter Forquenen, James Adams, Michael Murphey, John Walker, James Tuttle, Andrew Brumstreter, John Grage, Evan Williams, Michael Dougherty, Squire Boon, David Gass, Nathaniel Henderson, John Martin, Bartlett Seaby, Richard Epperson, and the parish of Russell, being ready to be presented to the House, were accordingly delivered in to the clerk.

A petition of Edward Archer was presented to the House and read; setting forth, that he lost a house in the general destruction of Norfolk, the dimensions of which could not be ascertained by the commissioners; that he has it in his power to prove that there actually was such a house; and praying to be allowed the value thereof.

*Ordered*, That the said petition be referred to the committee appointed to examine the report of the commissioners, appointed to ascertain the losses sustained by the late inhabitants of Norfolk; that they do examine the matter thereof, and report the same with their opinion thereupon, to the House.

The order of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Monday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for extending the boundary line between Virginia and Carolina," being read,

*Ordered*, That the same be put off till Tuesday next.

And then the House adjourned till Monday morning, 11 o'clock.

## MONDAY, November 23, 1778.

The House being informed that Mr. Charles Porter, one of the members for the county of Orange, and Mr. William Smith, one of the members for the county of Richmond, attended in custody of the serjeant at arms,

*Ordered*, That the said Charles Porter and William Smith, be discharged out of custody, paying fees.

The House being informed that Mr. Edward Harwood, one of the members for the county Warwick, attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence when the House was called on Saturday last,

*Ordered*, That the said Edward Harwood be discharged out of custody, without paying fees.

The House, according to the order of the day, was called over, and the names of the members who failed to appear were noted; and the names of those who made default, being again called over, some were excused on account sickness, employments in the service of the public elsewhere, and other justifiable avocations.

*Ordered*, That the members who are absent, and for whom no excuses, or insufficient excuses, have been made, be taken into custody by the serjeant at arms attending this House.

*Ordered*, That the serjeant at arms take into his custody the following members of this House, to wit: James Buford, Patrick Lockhart, William McClanahan, Joseph Peebles, John Clayton, Warlich Westwood, John Parke Custis, Isaac Zane, Lewis Burwell, John Whiting, Jesse Heard, John S. Wills, William D. Claiborne, Charles Bell, John Selden, Thompson Mason, Thomas Tabb, Samuel Goode, Henry Delony, Philip Grymes, Beverley Daniel, James Murdaugh, Armistead Russell, John Bowdoin, David McClure, William Robinson, Thomas Hewitt, William Brent, Benjamin Putney, Gray Judkins, and Joshua Wright.

The House being informed, that Mr. Jesse Heard, one of the members for the county of Henry; Mr. John Parke Custis, one of the members for the county of Fairfax; and Mr. William D. Claiborne, one of the members for the county of King William, attended in custody of the serjeant at arms,

*Ordered*, That the said Jesse Heard, John Parke Custis and William Dandridge Claiborne, be discharged out of custody, paying fees.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for more effectually guarding against counterfeiters of the paper currencies," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

A bill, "for the naturalization of foreigners," was read a second time, and ordered to be committed to a committee of the whole House on Wednesday next.



A bill, "to amend an act, entitled 'an act for the better regulating and collecting certain officers fees, and for other purposes,'" was read a second time, and ordered to be committed to a committee of the whole House, on Friday next.

*Ordered*, That Mr. Brown have leave to be absent from the service of this House until Thursday next.

A bill, "to increase the salaries of certain officers of government," was read a second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "to revive, amend and reduce into one, the several acts of Assembly, concerning highways, mill dams and bridges," was read a second time, and ordered to be committed to a committee of the whole House, on Friday next.

Mr. Meriwether reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, the petition of Cuthbert Bullitt, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the further consideration of the said petition be deferred till the next session of Assembly.

Mr. Parker reported, from the committee appointed to consider what compensation it may be just and reasonable to allow Richard Henderson and Company, for the services rendered this Commonwealth in quieting the minds of the Cherokee Indians, and in settling many families upon that tract of land in the back country commonly called Transylvania, that the committee had, according to order, had the same under their consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the said Richard Henderson and Company, for their said services ought to be allowed a tract of country, to be subjected to the payment of the same taxes as other lands within this Commonwealth are, but under such limitation of time, as to the settling of the said lands, as shall be directed by the General Assembly.

*Resolved*, That a tract of country not exceeding 800,000 acres be granted to Richard Henderson and Company.

*Resolved*, That the said tract of land ought to be laid off in manner following, viz: beginning at the mouth of Green river, thence running up the same fifty miles when reduced to a straight line, thence running at right angles with the said reduced line twelve and an half miles on each side of the said river, thence running lines from the termination of the lines extended on each side of the said Green river at right angles with the same, till the said lines intersect the Ohio, which said river shall be the western boundary of the said tract.

But this being intended as full compensation to R. Henderson and Company, for all their charge and trouble, and for all advantage accruing therefrom to the Commonwealth; it is the opinion of this committee, that the said R. Henderson and his partners be excluded from any farther claim to lands on account of any settlements or improvements heretofore made by them, or any of them, in that country.

The first resolution being read a second time was, upon the question put thereupon, agreed to by the House.

The second and third resolutions being read a second time, and upon the question severally put, that they be recommitted to the same committee,

It was resolved in the affirmative.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for vesting certain escheated lands in trustees, and for other purposes," with several amendments, to which they desire the concurrence of this House.

They have also agreed to the resolutions of this House, for paying certain sums of money, and for making certain allowances to John Wilson, John Goode, William Thomasson, James Taylor, John Williams and others, John Payne, jun. John Wilson and others, Rebecca Coleman, James Cureton, Elijah Estes, James Wallace Bailey, Thomas Sullivant, Gilmon Lane, Nicholas Parker, John Boram and others, George Pettit, George Keessell, Goldsbury Hacket, Elizabeth Harrup, Frederick Moss, James Johnson, John Madison, John Goff, and David Blanks, without any amendment. And then he withdrew.

*Resolved*, *nemine contra dicente*, That four of the finest geldings that can be procured, be immediately bought, and sent to his excellency General Washington, as a small testimony of the gratitude of this State, for the many signal services he has rendered America.

*Resolved*, *nemine contra dicente*, That General Nelson be requested to purchase the horses and send them to the General, and that the treasurer be directed to pay his draught for money for that purpose.

*Ordered*, That Mr. Nicholas do carry the said resolutions to the Senate, and desire their concurrence.

Whereas, authentic information has been received, that Lieutenant Colonel George Rogers Clarke, with a body of Virginia militia, has reduced the British posts in the western parts of this Commonwealth, on the river Mississippi and its branches, whereby great advantage may accrue to the common cause of America, as well as to this Commonwealth in particular;

*Resolved*, That the thanks of this House, are justly due to the said Colonel Clarke, and the brave officers and men under his command, for their extraordinary resolution and perseverance, in so hazardous an enterprize, and for the important services thereby rendered their country.

*Ordered*, That the Speaker be requested to transmit a copy of the said resolution to Col. Clarke.

*Ordered*, That Messrs. Lyne, Pickett, Strother, Crockett, Meriwether, S. Smith, Talbot, Syme, Moore, General Nelson, Avery, Carter, Pride, Claiborne, S. Carrington, Field, F. Goode, and Clapham, be added to the committee appointed to consider what compensation it may be just to make Richard Henderson & Company; Messrs. Bowyer and McDowell to the committee for Religion; and Mr. Geo. Mason to the committee appointed to prepare and bring in a bill, to amend "an act, entitled 'an act for providing against invasions and insurrections.'"

*Ordered*, That leave be given to bring in a bill, "to ascertain the mode of impressing wagons and horses," and that Messrs. Nicholas, General Nelson and G. Mason, do prepare and bring in the same.

The House proceeded to the consideration of the amendments made by the Senate, to the bill, "for vesting certain escheated lands in trustees, and for other purposes," and the said amendments being read were agreed to.

*Ordered*, That Mr. Nicholas do acquaint the Senate therewith.

*Ordered*, That leave be given, to bring a bill, "for establishing a town at the courthouse of the county of Washington," and that Messrs. Campbell and T. Hite, do prepare and bring in the same.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill, "to expel from this Commonwealth, and prevent the return in future of persons who have shewn themselves inimical to the liberties of America," being read,

*Ordered*, That the same be put off till Wednesday next.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill, "to amend the act, entitled 'an act for regulating and disciplining the militia,'" being read,

*Ordered*, That the same be put off till Thursday next.

A memorial of Geo. Mason was presented to the House, and read; setting forth, that he hath a claim to a considerable quantity of land upon the western waters, due to him upon charter importation rights, which hath been recognized by the Governor and Council during the British government, as legal and valid: that conscious of the uprightness of his conduct and soundness of his title, he has proceeded to locate and survey the lands which he thus claims, in the most legal and authentic manner; and praying that his title and locations, and surveys, may be confirmed.

Also, a petition of James Scott; setting forth, that he hath imported fifty-nine indentured servants from Scotland, and complied with every requisition to entitle him to lands, according to the royal charter; and praying that the lands due to him in consequence thereof, may be granted him.

*Ordered*, That the said memorial and petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Thomas Veale was presented to the House, and read; setting forth, that several of his houses in Portsmouth have been appropriated to the use of the soldiery for a considerable time, and no allowance has been made him for the rents; and praying that his case may be taken into consideration.

*Ordered*, That the said petition be referred to the committee appointed to examine the report of the commissioners, appointed to ascertain the losses of the late inhabitants of the borough of Norfolk; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Bartlett Seary was presented to the House, and read; setting forth, that he had a horse impressed into the service of the Commonwealth for the use of Capt. Boon's company, which has never been returned; and praying to be allowed the value of the said horse.

Also, a petition of David Gass; setting forth, that he had two horses impressed for the use of Capt. Boon's company, which have never been returned him; and praying to be paid their appraised value.

Also, a petition of John Martin; setting forth, that he had two horses impressed for the use of Capt. Boon's company, which have never been returned; and praying to be paid their appraised value.

Also, a petition of John Crage; setting forth, that he lost a horse in the Cherokee expedition; and praying to be allowed the valuation thereof.

Also, a petition of Evan Williams and Michael Dougherty; setting forth, that one William White having a claim upon the Commonwealth for a horse, bridle and saddle, which were lost in the Cherokee expedition, he assigned it over to the petitioners for a debt due from him to them; and praying to be allowed for the same.

*Ordered*, That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for speedily recruiting the Virginia regiments on the continental establishment," and on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 11 o'clock.

THURSDAY, November 24, 1778.

An engrossed bill, "to direct the sale of certain lands, late the property of John Thornton, Esq., deceased, and for purchasing other lands in lieu thereof," was read a third time, and the blanks filled up.

*Resolved*, That the bill do pass, and that the title be, "an act to direct the sale of certain lands, late the property of John Thornton, Esq., deceased, and for purchasing other lands in lieu thereof, and for other purposes."

*Ordered*, That Mr. Parker do carry the bill to the Senate and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for speedily recruiting the Virginia regiments on the continental establishment;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein; but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, to take the said bill under their farther consideration.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying certain sums of money to Matthew Plripp, Stephen Tankard and Nathaniel L. Savage, without amendment.

The Senate have agreed to the resolutions of this House, for paying certain sums of money, and making certain allowances to Alexander Purdie and Sarah Humphreys, with several amendments, to which they desire the concurrence of this House. And then he withdrew.

*Ordered*, That Mr. Kennon have leave to be absent from the service of this House till the 14th day of December next.

A petition of James Tuttle was presented to the House, and read; setting forth, that he lost a horse on the Cherokee expedition, which he has never since recovered; and praying to be allowed his appraised value.

Also, a memorial of John Brett; setting forth, that he is in advance on the account of this Commonwealth 335 2-3 dollars, for so much paid to volunteers enlisted under a late act of Assembly; and praying to be allowed the same, and that the bounty pay of rations due to them by the said act, may be paid to those recruits which he enlisted.

Also, a petition of Andrew Brumstreter; setting forth, that he lost a horse on the Cherokee expedition, which he has never since recovered; and praying to be allowed the valuation thereof.

Also, a petition of Peter Forquenen; setting forth, that a horse belonging to him was impressed into the service of the Commonwealth, for the use of the militia marching to the defence of Kentucky, which he has never since recovered, nor received any satisfaction for; and praying to be allowed the valuation thereof.

Also, a petition of James Davis; setting forth, that he had a mare, saddle and bridle, and bell, taken into the service of the Commonwealth, which have never been returned to him, nor has he received any satisfaction for the same; and praying to be allowed their appraised value.

Also, a petition of Charles Gwatkins; setting forth, that a horse belonging to him was taken into the service of the Commonwealth, for the use of the militia marching to the defence of Kentucky, which was lost, while so employed; and praying to be allowed their appraised value.

Also, a petition of Sarah Brown; setting forth, that she is left destitute by reason of her four sons being engaged in the service of the Commonwealth; and praying relief.

Also, a petition of Nathaniel Henderson; setting forth, that he had a valuable negro fellow killed in defending Fort Boone; he was posted in the most dangerous place by the commanding officer; and praying to be allowed the value thereof.

Also, a petition of John Callaway; setting forth, that in January last he had a wagon and team employed by the county lieutenant of Bedford 41 days, for the purpose of attending the troops raised in the said county to head quarters, for which he has received only twenty-four shillings per day, which were far below the services rendered; and praying that a farther allowance may be made him.

Also, a petition of John Walker; setting forth, that he lost a horse on the Cherokee expedition, which he has never since recovered, nor received any satisfaction for; and praying to be allowed the appraised value thereof.

*Ordered*, That the said memorial and petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "to amend an act, entitled 'an act for establishing a General Court, and for other purposes,'" being read,

*Ordered*, That the same be put off till Tuesday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the bills, "for extending the boundary line between Virginia and North Carolina," and to amend "an act, entitled 'an act for raising a supply of money for public exigencies,'" being read,

*Ordered*, That the same be put off till Friday next.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 11 o'clock.



WEDNESDAY, November 25, 1778.

An engrossed bill, "for reviving several public warehouses for the inspection of tobacco," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act for reviving several public warehouses for the inspection of tobacco."

*Ordered*, That Mr. Page do carry the said bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have, *nemine contra dicente*, agreed to the resolution of this House, for presenting four of the finest geldings that can be procured, to his excellency Gen. Washington, as a small testimony of the gratitude of this State, for the many signal services he has rendered America, without amendment.

The Senate have also agreed to the resolutions, for paying certain sums of money, and making certain allowances, to William Schofield, Archibald Compton, Henry Pendleton, William Francis, Basil Noe, Henry Field, Joseph Bybee, William Tyler, Richard Johnson, Edward Peterson and others, Peter Cummins, Richard Stephens, jun., Amos Dunham and Joseph Braden, without any amendment. And then he withdrew.

The House being informed, that Mr. William Brent, one of the members of the county of Stafford, attended in custody of the serjeant at arms,

*Ordered*, That the said William Brent be discharged out of custody, paying fees.

The House being informed, that Mr. Benjamin Putney, one of the members for the county of Surry, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence, when the House was called over on Monday last;

*Ordered*, That the said Benjamin Putney, be discharged out of custody, without paying fees.

*Ordered*, That Mr. Freeman Eppes, serjeant at arms to this House, have leave to be absent from the service thereof, till the seventh of next month.

*Ordered*, That Mr. William Peirce, be appointed to officiate in the stead of the said Freeman Eppes, until his return.

The House proceeded to the consideration of the amendments made by the Senate, to the bill, entitled "an act, for more effectually guarding against counterfeiters of the paper currencies;" and the same being read, were agreed to by the House, with several amendments.

*Ordered*, That Mr. Page do acquaint the Senate, that this House have made several amendments to the amendments proposed by them to the said bill; and desire their concurrence to the amendments made by this House.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "to expel from this Commonwealth, and to prevent the return in future of persons who have shewn themselves inimical to the liberties of America," being read,

*Ordered*, That the same be put off till Friday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill "for speedily recruiting the Virginia regiments on the continental establishment," and on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 11 o'clock.

THURSDAY, November 26, 1778.

The House being informed, that Mr. Armistead Russell, one of the members for the county of New Kent; Mr. Thompson Mason, one of the members for the county of Loudoun; and Mr. John Whiting, one of the members for the county of Gloucester, attended in custody of the serjeant at arms;

*Ordered*, That the said Armistead Russell, Thompson Mason, and John Whiting, be discharged out of custody, paying fees.

*Ordered*, That Mr. Custis have leave to be absent from the service of this House, till Wednesday next, and Mr. Rogers till Saturday next.

*Ordered*, That a committee be appointed to examine the accounts of the commissioners of the Gun Manufactory, and report their opinion thereupon, to the House.

And a committee was appointed, of Messrs. Page, Gen. Nelson, Elliott, Lyne and Peachey.

The House proceeded to the consideration of the amendments made by the Senate, to the resolutions for making certain allowances to Alexander Purdie, the public printer;

And the same being read, were agreed to.

*Ordered*, That General Nelson do acquaint the Senate therewith.

Mr. Wilson reported, from the committee to whom was committed the bill "for altering the court day of the county of Pittsylvania," that the committee had, according to order, had the said bill under their consideration, and had

gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and being amended, was agreed to.

*Ordered*, That the said bill with the amendments, be engrossed, and read a third time.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, the bill "for adding part of the county of Buckingham to the county of Cumberland," to them committed, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Ordered*, That the said bill with the amendments, be engrossed, and read a third time.

Mr. Lee reported, from the committee of Public Claims, that the committee had, according to order, had under their consideration, a resolution upon sundry petitions to them recommitted, and several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended were agreed to, as followeth:

1. *Resolved*, that it is the opinion of this committee, That the petition of John White, lieutenant in Col. Bland's regiment of light dragoons, praying to be allowed for his horse, which was stolen by a deserter and carried to the enemy, be rejected.

2. *Resolved*, that it is the opinion of this committee, That the petition of Elias Barnaby, praying some compensation may be made him for the loss of five servants under engagement to him by indentures, who enlisted in the continental service, be rejected.

3. *Resolved*, that it is the opinion of this committee, That the petition of Margaret Hamilton, whose husband enlisted under Capt. Francis Willis, of Col. Grayson's regiment, and was killed in the battle at Brandywine, leaving the petitioner with five small children in very low circumstances, praying relief, be rejected; it appearing that she hath of late been provided for by the county court, agreeable to the act of Assembly.

4. *Resolved*, that it is the opinion of this committee, That the petition of Richard Morris, who acted as assistant commissary to the troops of this State, praying to be allowed for a horse which he kept for his own use, and while in that service the said horse had one of his legs broke by accident, of which he shortly afterwards died, be rejected.

5. *Resolved*, that it is the opinion of this committee, That the petition of James Dunn, praying that his negro woman Lucy, who got on board Lord Dunmore's fleet, and was afterwards taken and sent to the saltpetre works, may be returned, and a reasonable hire allowed for the time she hath continued in that service, be rejected; it appearing that the said slave Lucy, is included amongst sundry other slaves under the same predicament, in the resolve of the General Assembly, of the 7th of June, 1777, for that purpose.

6. *Resolved*, that it is the opinion of this committee, That the petition of John Jarrett, praying to be allowed for an ox, taken by an assistant commissary, and employed in transporting provisions for this State, in which service he died, be rejected for want of sufficient proof.

7. *Resolved*, that it is the opinion of this committee, That the petition of Thomas Watkins; setting forth, that by order of Colonel David Mason, he was directed to remain within this State, for the purpose of apprehending deserters from the continental army, and in the discharge of that duty, had incurred considerable expense, and praying to be reimbursed the same, be rejected.

8. *Resolved*, that it is the opinion of this committee, That the petition of William Dillon, praying to be allowed for nursing, maintaining and expenses in bringing home his son Jesse Dillon, a soldier in the artillery, who was taken sick on his way to visit his friends, and remained on the hands of the petitioner from the 6th day of July, 1777, until the 20th day of February following, the greater part of which time he was unable to help himself, is reasonable; and that the petitioner ought to be allowed for the same, at the rate of 10*d.* per day for 230 days, amounting to the sum of 9*l.* 11*s.* 8*d.*

9. *Resolved*, that it is the opinion of this committee, That the petition of Jacob Cogar, a soldier in Capt. Daniel Smith's company of militia, ordered out for the defence of the frontiers, praying to be allowed pay for the time he continued in that service, the captain having neglected to enter him on his pay roll, is reasonable; and that the petitioner ought to be allowed pay for 67 days service, amounting to the sum of 4*l.* 9*s.* 4*d.*

10. *Resolved*, that it is the opinion of this committee, That the petition of Eleanor Bourn, praying to be allowed for nursing and furnishing necessaries for her son John Bourn, a continental soldier, who came to her house on the 10th day of September, 1776, and there continued sick until the 10th day of March following, is reasonable; and that the petitioner ought to be allowed for the same, at the rate of 10*d.* per day for 182 days, amounting to the sum of 7*l.* 11*s.* 8*d.*, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

11. *Resolved*, that it is the opinion of this committee, That the petition of Thomas Ramsey; setting forth, that at the request of Capt. Aaron Lewis, the petitioner brought to his house Abraham Crabtree, a soldier, who on his way to the Cherokee towns, was seized with a nervous fever, and lay sick on his hands from the 9th day of October until the 28th of January following; and praying to be allowed for nursing and maintaining him, during that period, is reasonable; and that the petitioner ought to be allowed for the same, at the rate of 10*d.* per day for 112 days, amounting to the sum of 4*l.* 13*s.* 4*d.*

12. *Resolved*, that it is the opinion of this committee, That so much of the petition of John South and Ephraim Drake, as prays an allowance for a bay horse, the property of the said South, which was taken and employed in trans-



porting provisions, &c. for the Kentucky militia, on an expedition against the Indians and lost, is reasonable; and that the said John South ought to be allowed 40*l*. for his said horse, being the sum to which he was appraised.

13. *Resolved, that it is the opinion of this committee,* That such other part of the said petition as prays an allowance for a horse the property of the said Drake, which was taken into that service and supposed to have been killed or taken by the Indians, be rejected for want of sufficient proof.

14. *Resolved, that it is the opinion of this committee,* That the memorial of Magaret Drake, praying to be allowed for three horses, the property of her husband, which were taken previous to his death, and employed in hunting for and transporting provisions for the use of the garrison at Boonsborough, which said horses were either killed or taken by the enemy, and have not been recovered nor any satisfaction made for them, is reasonable; and that the memorialist ought to be allowed the sum of 350*l*. for the said horses, being the total amount of the several sums to which they were appraised.

15. *Resolved, that it is the opinion of this committee,* That the petition of John Wilson, praying to be allowed for a horse, saddle and bridle, which were impressed for Matthew Atkinson, a serjeant in Captain Ogle's company of Ohio militia, to ride express to fort Henry, when attacked by the enemy, who was killed on his way, by which means the horse, saddle and bridle, fell into the hands of the enemy and have not been recovered, nor hath any satisfaction been made for them, is reasonable; and that the petitioner ought to be allowed for the same 25*l*., being the sum to which they were appraised.

16. *Resolved, that it is the opinion of this committee,* That the petition of the representatives of Samuel Tomlinson and others, who were part of the militia of Ohio county, ordered out from fort Henry under the command of Capt. Samuel Mason, and were killed in an engagement with the Indians, and their rifles and pouches carried off, for which no satisfaction hath been made, praying an allowance for the same, is reasonable; and that the following allowances ought to be made to the petitioners, to wit: to the representatives of Samuel Tomlinson, 11*l*.; of George Reinhart, 16*l*. 2*s*. 6*d*.; to John Smith, 10*l*.; to Joseph McClain, 8*l*. 7*s*. 6*d*.; of Jacob Greathouse, 9*l*. 7*s*. 6*d*.; of John Boyd, 9*l*.; of William Shepperd, 14*l*. 15*s*.; of Jacob Grindstaff, 6*l*. 17*s*. 6*d*.; being the sums to which the said rifles, &c. were respectively appraised, which said several sums ought to be charged in the account of this Commonwealth against the United States of America.

17. *Resolved, that it is the opinion of this committee,* That the petition of James Davis, praying to be allowed for a mare, saddle and bell, which were taken for the use of the militia of Bedford county while on their march to Kentucky, and were lost in that service, for which no satisfaction hath been made him, is reasonable; and that the petitioner ought to be allowed 20*l*. for the mare, saddle and bell, being the sum to which they were appraised.

18. *Resolved, that it is the opinion of this committee,* That the petition of Thomas Clarke, a serjeant in Captain Thomas West's company of the 10th Virginia regiment, whose arm was broke by a ball in the battle at Brandywine which hath rendered him unfit for duty, and incapable of getting a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his present relief, and a farther allowance of full pay as a serjeant during life, and that one half of the said pay ought to be charged in the account of this Commonwealth against the United States of America.

19. *Resolved, that it is the opinion of this committee,* That the petition of William Weldie, a soldier in the 9th Virginia regiment, who was taken prisoner by the enemy in the battle at Germantown, and whilst confined in jail in Philadelphia, had a fever which caused an inflammation in one of his legs, in consequence whereof, he is now in a distressed situation, praying to be allowed a sum of money sufficient to induce some skillful surgeon to undertake the cure, is reasonable; and that the petitioner ought to be allowed the sum of 40*l*. for that purpose.

20. *Resolved, that it is the opinion of this committee,* That the petition of Bartlett Seary, praying to be allowed for his horse which was taken for the use of Captain Boone's company of the Kentucky militia, and was either killed or taken by the Indians, and hath not been recovered nor any satisfaction made him for the same, is reasonable; and that the petitioner ought to be allowed 25*l*. for the said horse, being the sum to which he was appraised.

21. *Resolved, that it is the opinion of this committee,* That the petition of John Martin, praying to be allowed for two horses which were taken for the use of Captain Boone's company of the Kentucky militia, and were either killed or taken by the Indians, and have not been recovered, nor hath any satisfaction been made for them, is reasonable; and that the petitioner ought to be allowed 90*l*. for the said horses, being the appraised value thereof.

22. *Resolved, that it is the opinion of this committee,* That the petition of David Gass, praying to be allowed for two horses taken for the use of the Kentucky militia under Captain Boone, which were killed or taken by the Indians, and have not been recovered nor any satisfaction made for them, is reasonable; and that the petitioner ought to be allowed 80*l*. for the said horses, being the appraised value thereof.

23. *Resolved, that it is the opinion of this committee,* That the petition of Thomas Logwood, praying to be allowed for a sorrel horse appraised to 8*l*., and a bay, appraised to 13*l*. 10*s*., which were lost on the Cherokee expedition, in the year 1776, and no satisfaction hath been made for them, is reasonable; and that the petitioner ought to be allowed the sum of 21*l*. 10*s*. for the said horse, being the appraised value thereof.

24. *Resolved, that it is the opinion of this committee,* That the petition of Jonathan Herrin, praying to be allowed for nursing and maintaining his son Jonathan Herrin, a continental soldier, who was brought home and lay sick on his hands from the 19th day of October, 1776, to the 1st day of March following, is reasonable; and that the petitioner ought to be allowed for the same, at the rate of 10*d*. per day for 134 days, amounting to the sum of 5*l*. 11*s*. 8*d*., and that the same ought to be charged in the account of this Commonwealth against the United States of America.



25. *Resolved, that it is the opinion of this committee,* That the petition of Edward Douglass, praying to be allowed for his horse, which was taken by John Douglass, to carry an express from Col. Evan Shelby on Holstein to Clinch river, agreeable to orders from Col. Russell, who on his way was killed by the Indians, and the horse carried off by them and hath not been recovered nor hath any satisfaction been made for him, is reasonable; and that the petitioner ought to be allowed the sum of 16*l.* 10*s.* for the said horse, being the sum to which he was valued.

26. *Resolved, that it is the opinion of this committee,* That the memorial of William Buchanan, praying to be allowed for two horses, his own property taken by him into the service of this State, and employed in transporting baggage and provisions for his party from the county of Montgomery, to the county of Kentucky, none having been provided by the public for that purpose, which said horses were carried off by the Indians and have not been recovered, nor hath any satisfaction been made for them, is reasonable; and that the memorialist ought to be allowed 190*l.* for the said horses, being the sum to which they were valued.

27. *Resolved, that it is the opinion of this committee,* That the petition of Benjamin Sadler, jun. a soldier in the ninth Virginia regiment, who, at the battle of Germantown, was taken prisoner, and whilst confined in jail in the city of Philadelphia, fell down stairs and hurt his left leg, which, although his utmost endeavors were used to get it cured, is at present in danger of mortifying; praying to be allowed a sum of money sufficient to induce some skilful surgeon to undertake the cure, is reasonable; and that the petitioner ought to be allowed the sum of 40*l.* for that purpose.

28. *Resolved, that it is the opinion of this committee,* That the petition of James Bunch, a soldier in Captain Joseph Martin's company of militia, who in an engagement with the Indians on the frontiers of Washington county, in the year 1777, received several wounds, whereby he is rendered incapable of getting a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of half pay as a soldier, during the term of three years.

29. *Resolved, that it is the opinion of this committee,* That the petition of Sarah Duke, administratrix of Francis Duke, deceased, who was employed as commissary in the county of Ohio, and in passing from one garrison to another, was, on the first day of September, 1777, killed by a party of Indians, who possessed themselves of his gun, mare, saddle and bridle, and saddle bags, of the value of 39*l.* 10*s.*, leaving the petitioner with four small children, in low circumstances; praying compensation may be made for her loss, be rejected.

*Ordered,* That Mr. Lee do carry the 8th 9th, 10th, 11th, 12th, 13th, 14th, 15th 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th and 28th resolutions to the Senate, and desire their concurrence.

A petition of Michael Murphey, was presented to the House, and read; setting forth, that a horse belonging to him, was impressed for the use of the militia marching to the defence of Kentucky, which has never been returned, nor has any satisfaction been made him for the same; and praying to be allowed the value of the said horse.

A petition of James Adams; setting forth, that he had a mare taken into the service of the militia marching to the defence of Kentucky, which was lost, and for which he has received no satisfaction; and praying to be allowed the appraised value.

Also, a petition of Squire Boone; setting forth, that in March, 1777, he was sent express, by order of Col. Clarke, from Kentucky to Williamsburg; that on his way, his horse was stolen, and has never since been recovered, and he was obliged to walk on foot 150 miles, to deliver his despatches; and praying relief.

Also, a petition of Thomas Jordan, jun.; setting forth, that he enlisted into Captain John Thornton's company, in the third Virginia regiment; that after being in the service about a year, he was by sickness rendered unfit for duty, and accordingly discharged; that he is now unable to procure a livelihood by labor, praying relief.

Also, a petition of Richard Epperson; setting forth, that being on duty at the fort of Boonesborough, he was attacked by a party of Indians, and received a wound in his right hip, whereby he is rendered unable to subsist by his own labor; and praying relief.

Also, a petition of Edward Piggett, James McCarty, and Jacob Vance; setting forth, that three horses, belonging to them, were taken into the service of the Commonwealth, on the Cherokee expedition, which have never been returned to them, nor have they received any satisfaction for the same; and praying to be allowed the appraised value of the said horses.

Also, a petition of Andrew Little; setting forth, that two mares belonging to him was taken into the service of the Commonwealth, on the Cherokee expedition, which have never been returned to him, nor has he received any satisfaction for the same; and praying to be allowed the appraised value.

Also, a petition of Abraham Bogard; setting forth, that a sorrel mare, belonging to him and employed in the service of the Commonwealth, on the Shawanese expedition, was shot in an engagement with a party of Indians, for which he has received no satisfaction; and praying to be allowed the appraised value of the said mare.

*Ordered,* That the said petitions be referred to the committee of Public Claims; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the vestry of the parish of Russell, was presented to the House, and read; setting forth, that the sale of their glebe would be of great advantage to them; and praying that an act may pass for that purpose.

*Ordered,* That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Robert Tucker, was presented to the House, and read; setting forth, that the allowance made him by the commissioners appointed for that purpose, for the damage done to his mills and other buildings, by the erec-

tion of a fort, is wholly insufficient; and praying an addition thereto, by making him a yearly allowance for the use of a valuable plantation, now appropriated to the public service.

*Ordered*, That the said petition, be referred to the committee appointed to examine the report of the commissioners, for ascertaining the losses of the late inhabitants of the borough of Norfolk; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill "for dissolving several vestries," that they receive a clause or clauses for dissolving the vestries of the parishes of Saint Stephen, in the county of Northumberland, and of Blisland, in the counties of New Kent and James City, and for the election of other vestries.

Mr. Campbell presented, according to order, a bill "for establishing a town at the courthouse of the county of Washington," and the same was received and read the first time, and ordered to be read a second time.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

1. *Resolved*, that it is the opinion of this committee, That the petition of several officers belonging to the regiment of State artillery; setting forth, that the Governor and Council have appointed a certain Capt. de Clauman to take command of them, without his having ever recruited a man; and praying that an inquiry may be made into the same, be rejected.

2. *Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the Tygers Valley, praying that a new county may be established by the boundaries including Tygers Valley Settlement, and those of the west fork of Monongalia and Buchanan's Creek, be rejected.

3. *Resolved*, that it is the opinion of this committee, That the petition of sundry persons residing on the south fork of the South Branch, and the north fork of Potomac River, praying that a new county may be formed by a line to begin at Lord Fairfax's line on the waters dividing the South Fork and Cape Capon waters, thence along the top of the North Mountain to the head of the South Fork, thence a straight line to the head of the South Branch, thence to the head of the North Fork, thence crossing the Valley River at Jones's mill, thence a line to include the settlers on the Buchanan and West Fork, and those on the South Branch to the west and southwest side of Lord Fairfax's line, be rejected.

The 1st resolution was read a second time, and the question being put, that it be recommitted to the same committee.

It was resolved in the affirmative.

The 2d and 3d resolutions being read a second time, were, upon the question severally put thereupon, agreed to by the House.

The House proceeded to the consideration of the amendment made by the Senate, to the resolution for paying a sum of money to Sarah Humphreys.

And the same being read, was agreed to.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

General Nelson presented according to order, a bill, "to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service," and the same was received and read the first time, and ordered to be read a second time.

Also, a bill, "to confirm certain surveys of land, made by James Patton, deceased, and directing patents to be granted for the same," and the same was received and read the first time, and ordered to be read a second time.

Also, a bill, "to revive and amend an act, entitled 'an act, to make provision for the support and maintenance of idiots, lunatics, and other persons of unsound minds,'" and the same was received and read the first time, and ordered to be read a second time.

Also, a bill, "for establishing several new ferries, discontinuing a former one, and for other purposes," and the same was received and read the first time, and ordered to be read a second time.

Mr. Benjamin Harrison reported, from the committee appointed to examine the state of the public jail, that the committee had, according to order examined the same, and had agreed upon a report, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

It appears to your committee, from the information of the keeper of the public jail, that having represented to the Governor and Council, that the allowance by law of 1s. per day for maintaining each prisoner, was by no means adequate to the expense, his excellency the Governor gave him an order to draw provisions for the prisoners from the public issuing house in this town, which he has accordingly done ever since last March.

It also appears to your committee, that the manner of managing the prisoners, together with the allowance to be made the keeper of the public jail, should be entirely submitted to the Executive under such restrictions as shall be directed by law.

*Ordered*, That leave be given to bring in a bill, "to empower the Governor and Council, to superintend and regulate the public jail;" and that Messrs. Harrison, Page and Kello, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "to declare the paper currency of this State, and that of the United States, a legal tender in all cases, and that Mr. Nicholas do prepare and bring in the same.



The House proceeded to the consideration of the report from the committee of Propositions and Grievances, upon the memorial of Thomas Walker, Esq., in behalf of the Loyal Company, and the resolutions of the said committee thereupon; and the report and resolutions being twice read, and amended, were agreed to by the House, as followeth:

It appears to your committee, that at a Council, held July the 12th, 1749, leave was granted to the said company to take up and survey 800,000 acres of land, in one or more surveys, beginning on the bounds between this State and North Carolina, and running to the westward and to the north, so as to include the said quantity; and four years time allowed to survey and pay rights for the same, upon the return of the plans to the Secretary's office; a copy of which order was duly entered in the offices of the auditor general and surveyor of the county of Augusta, according to the rules of government.

That in March following, the memorialist, as agent for the Company, with five other persons supported at their expense, set off to explore the country on the branches of Mississippi, then unknown, and went as far westward as Cumberland river, where they built a house, cleared a small spot of ground, and planted some peach-stones and Indian corn, and went northerly across Kentucky river; in which service the persons aforesaid were employed four months and six days.

That the company being hindered from further progress by a caveat entered for the Ohio Company, and by a dispute with Col. James Patton, who had an unfinished grant below where this company were to begin. The Governor and Council, by their order of June the 14th, 1753, allowed the company four years further time to complete the surveying and seating their said lands.

That on the 6th day of July following, the Company directed their said agent to proceed with all convenient speed in surveying lands, and to sell the same to purchasers at 3*l*. per hundred acres, exclusive of fees and rights; in consequence of which the agent procured to be surveyed, in that and the next year 224 surveys, containing 45,390 acres, which were made in the names of the several settlers who contracted with the agent for the purchase thereof, on the terms aforesaid.

It further appears, that in the Summer of 1754, several families were obliged to remove from their said settlements by an Indian invasion, and such removals continued during that war to be made at different times, so that no further proceedings were had under the company's order until May the 25th, 1763, when they petitioned the Governor and Council for a renewal and confirmation of the said grant, on account of the obstructions to their carrying the same into execution during the war; but the board declared their opinion to be, that they were restricted by His Majesty's instruction from renewing or confirming the grant.

That, at a council held December the 16th, 1773, the following order was made, to wit: "On consideration of the several petitions of Thomas Walker, in behalf of himself and the other members of the Loyal Company, and also, of Andrew Lewis, agent for the Greenbrier Company, praying that the grants made to the officers and soldiers under His Majesty's proclamation, in 1763, may not be suffered to be located so as to interfere with their grants: and also, of the petition of sundry inhabitants settled on the said lands, to the same purpose; and of the counter petition of Hugh Mercer and sundry other officers; the board are of opinion, and it was accordingly ordered, that the officers and soldiers be at liberty to locate their lands wherever they shall desire, so as not to interfere with legal surveys or actual settlements; that every officer be allowed a distinct survey for every thousand acres; and that those are to be deemed settlers who resided on any tract of land before last October, and continue to do so, having cleared some part thereof, whereby his intention to reside is manifested; and that every settler shall have fifty acres at least, and also for every three acres of cleared land, fifty acres more, and so in proportion, which is to be taken as part of the grants to the said companies respectively, when the land office shall be open to them, unless such settlers shall choose to hold under the officers or soldiers, or any of them, rather than under the said Companies."

That subsequent to the said order, and before the present year 1766, surveys containing 156,164 acres have been surveyed under the said grant to the Loyal Company for actual settlers, whose names, and the quantity surveyed for each, is contained in a certificate of Col. William Preston, surveyor of Fincastle county, wherein the lands lay before a division thereof, so that there hath been surveyed under this grant at the various periods before stated, in the whole 201,554 acres out of 800,000; there remaining unsurveyed 593,446 acres.

That all the land so surveyed, is either sold by the agent of the Company at 3*l*. per hundred acres, or held by the settlers who have surveyed, in order to claim under the grant on the same terms; according to the last order of Council; and no lands have been hitherto surveyed by the company with intention to reserve the same for themselves and families.

It further appears to the committee, that the conduct of the company and of their said agent, hath been fair and upright in every instance, constantly adhering to the terms of sale, and never demanding a higher price, or refusing to sell to any settler the land he chose, unless when he desired a large tract, which the agent always refused, as it would have enabled the purchaser to extort an advanced price from other settlers, or have kept the land unseated, and weakened the settlement.

That, in 1766, the agent caused advertisements to be dispersed through the several States north and south, desiring all persons who contracted for any of the company's lands, and were driven off their settlements in the former war, to return and claim the same, or it would be sold to others; and hath been at great pains to compose differences amongst the settlers, either by settling them himself or getting them referred to arbitration; and that no part of the



purchase money appears to have been paid for any of the lands sold, the agent declaring it was time enough to pay the money when he was enabled to make a title to the land.

It farther appears, from the certificates of Robert Preston and John Floyd, formerly assistant surveyors of Finckle county, that in their opinion there are between one thousand and twelve hundred settlers in the county of Montgomery and Washington, who expect to obtain titles for their lands from this company, but it appears, that in 1776, an advertisement was published by Col. William Preston, importing that he was empowered by the agent to take bond and security for 3*l*. per 100 acres, for all lands surveyed and sold by the company, appointing a time and place when he would attend for that purpose, and that he was ready upon receiving such bonds and the surveyor's fees to deliver the surveys: and it is admitted by the agent that no such bonds were then given:

Whereupon, the committee have come to the following resolutions:

*Resolved*, that it is the opinion of this committee, That so much of the memorial of the said Thomas Walker, Esq., as prays that he may be enabled agreeable to the tenor of his contracts, and the conditions of the grant to the Loyal Company, to make conveyances for 224 surveys, made before the 14th day of January, 1757, and containing 45,390 acres of land, is reasonable.

*Resolved*, that it is the opinion of this committee, That so much of the memorial of the said Thomas Walker, as relates to the 756 surveys, containing 156,164 acres of land, so far as there are actual contracts or entries made with the said Walker, or his agent, and as to all those who have signed a petition in favor of the Loyal Company's grant, he rejected.

*Resolved*, that it is the opinion of this committee, That so much of the memorial of the said Thomas Walker and Company, as prays to be allowed so much time to complete their surveys, as they had to come when hostilities commenced, be rejected.

*Ordered*, That a bill or bills be brought in pursuant to the said resolutions, and that the committee of Propositions and Grievances do prepare and bring in the same.

A message from the Senate by Mr. Matthews:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for allowing to the county of Rockingham their share of the tobacco levied for the county of Augusta, laid last session of Assembly, without any amendment. And then he withdrew.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill “for speedily recruiting the Virginia regiments on the continental establishment,” and on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill “for regulating and disciplining the militia,” being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till to-morrow morning, 11 o'clock.

#### FRIDAY, November 27, 1778.

*Ordered*, That Messrs. Payne and Riddick, have leave to be absent from the service of this House for the remainder of the session; Mr. Francis Goode, till Wednesday se'nnight; Mr. Taliaferro, till Monday fortnight; Mr. Page, till Thursday next; Mr. Rowe, till Monday se'nnight; and Mr. Wilson, till the 18th day of next month.

An engrossed bill, “for altering the court of the county of Pittsylvania,” was read the third time, and the blank filled up.

*Resolved*, That the bill do pass, and that the title be, “an act for altering the court days of the counties of Pittsylvania, Botetourt, and Henry.”

*Ordered*, That Mr. Wilson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, “for adding part of the county of Buckingham to the county of Cumberland,” was read the third time.

*Resolved*, That the bill do pass, and that the title be, “an act for adding part of the county of Buckingham to the county of Cumberland, and other purposes.”

*Ordered*, That Mr. G. Carrington do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, again resolved itself into a committee of the whole House, on the bill “for speedily recruiting the Virginia troops on the continental establishment,” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the said bill.

The Speaker laid before the House two letters from the Governor, enclosing several papers for the consideration of the House.

And the said letters were read.

*Ordered*, That the said letters and papers do lie on the table.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "to enable the treasurer to borrow a farther sum of money," being read,

*Ordered*, That the same be put off till Wednesday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for extending the boundary line between Virginia and North Carolina," being read,

*Ordered*, That the same be put off till Monday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills "for raising a supply of money for public exigencies," "to amend an act, entitled 'an act for the better regulating certain officers fees, and other purposes,'" and "to expel from this Commonwealth, and prevent the return in future of such persons as have shewn themselves inimical to the liberties of America," being read,

*Ordered*, That the same be put off till Tuesday next.

The order of the day for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 11 o'clock.

## SATURDAY, November 28, 1778.

The House being informed, that Mr. Samuel Goode, one of the members for the county of Mecklenburg, and Mr. Charles Bell, one of the members for the county of Lancaster, attended in custody of the serjeant at arms,

*Ordered*, That the said Samuel Goode and Charles Bell, be discharged out of custody, paying fees.

A message from the Senate by Mr. Taylor :

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, to direct the sale of certain lands, late the property of John Thornton, Esq. deceased, and for purchasing other lands in lieu thereof, and for other purposes." And then he withdrew.

A message from the Senate by Mr. Coles :

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying certain sums of money to Messrs. Baker and Hardy, Stephen Terry and John Britt, without any amendment. And then he withdrew.

A message from the Senate by Mr. Cabell :

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for appointing John Revelly to employ workmen acquainted with the method of casting cannon, and to superintend the business of the foundry, without any amendment. And then he withdrew.

*Ordered*, That Messrs. Nash, Trigg and Lyne, have leave to be absent from the service of this House, for the remainder of the session.

Mr. Page reported, from the committee appointed to examine the accounts of the commissioners of the Gun Manufactory, that the committee had, according to order, examined the same, and agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was, again twice read and agreed to, as followeth :

It appears to your committee that since the last settlement, including the balance due thereon of 2,896*l*. 13*s*. 2 3-4*d*. in favor of Fielding Lewis, Esq. one of the said commissioners, there has been disbursed on account of the factory the aggregate sum of 8,596*l*. 9*s*. 0 1-4*d*. of which the public have advanced the sum of 6,520*l*., and remain indebted to the said Fielding Lewis, Esq. the sum of 2,076*l*. 9*s*. 0 1-4*d*.

It also appears to your committee, that out of the said sum of 8,596*l*. 9*s*. 0 1-4*d*. the sum of 3,598*l*. 10*s*. 10*d*. hath been disbursed by Charles Dick, Esq. the other commissioner, for workmen's wages and other services; from whence it appears that since the last settlement, including the materials on hand, the said factory is in credit for the sum of 12,346*l*. 13*s*. 2*d*. from which the disbursements, amounting to the sum of 10,196*l*. 9*s*. 0 1-4*d*. being deducted, a balance of profit for the said factory is left in favor of the public of 2,150*l*. 4*s*. 1 3-4*d* :

Whereupon, your committee came to the following resolution :

*Resolved*, that it is the opinion of this committee, That the accounts and disbursements are fairly and justly stated, and that the aforementioned balance of 2,076*l*. 9*s*. 0 1-4*d*. is due to Fielding Lewis, Esq. which said sum ought to be paid by the public.

*Ordered*, That Mr. Page do carry the said resolution to the Senate, and desire their concurrence.

*Resolved*, That the allowance heretofore made to the commissioners of the Gun Manufactory, is an inadequate compensation for their labor and the expenses which necessarily arise in the execution of their office, and that the farther sum of 235*l*. per annum, ought to be allowed them.

*Resolved*, That the apprentices now engaged, or hereafter to be engaged in the Gun Manufactory, ought to be furnished with clothes and other necessaries from the public store.

*Ordered*, That Mr. Page do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Parker reported, from the committee appointed to consider what compensation it may be just and proper to

make to Richard Henderson and Company, that the committee had, according to order, had the same under their consideration, and agreed upon a report, and come to several resolutions thereupon, which he was ready to report when the House should think proper to receive them.

*Resolved*, That this House will receive the said report and resolutions on Monday next.

A message from the Senate by Mr. Cabell:

Mr. SPEAKER,—The Senate have agreed to the bill, entitled “an act, for adding part of the county of Buckingham to the county of Cumberland, and other purposes.” And then he withdrew.

The letters and papers from the Governor, which were yesterday ordered to lie on the table, being read,  
*Ordered*, That the act of the State of the Massachusetts Bay, “concerning certain persons therein named, and others, who have left that State, or either of the United States, and joined the enemies thereof,” be referred to the committee of the whole House, on the bill, “to expel from this Commonwealth, and prevent the return of persons in future who have shewn themselves inimical to the liberties of America;” that the treaties of amity and commerce and of alliance, eventual and defensive, between his most Christian Majesty, and the thirteen United States of America, and the depositions and papers respecting the conduct of Colonel Stephenson, be referred to the committee of the whole House, on the state of the Commonwealth; and that the resolutions of Congress concerning wounded non-commissioned officers, soldiers, and seamen, and certain offices, and the proclamation for a thanksgiving, do lie on the table.

The House, according to the order of the day, again resolved itself into a committee of the whole House, on the bill “for speedily recruiting the Virginia regiments on the continental establishment;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, they had directed to move for leave to sit again.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House, on the said bill.

*Ordered*, That it be a standing order of this House, that the fee of the serjeant at arms for taking any person into custody, be increased from thirteen shillings to ten dollars.

*Ordered*, That there be a call of the House, on Monday next.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House, on the state of the Commonwealth.

And then the House adjourned till Monday morning, 11 o'clock.

#### MONDAY, November 30, 1778.

The House being informed, that Mr. William McClanahan, one of the members for the county of Botetourt; Mr. Joseph Peebles, one of the members for the county of Brunswick; and Mr. Thomas Jefferson, one of the members for the county of Albemarle; attended in custody of the serjeant at arms,

*Ordered*, That the said William McClanahan, Joseph Peebles and Thomas Jefferson, be discharged out of custody, paying fees.

A bill, “to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service,” was read a second time, and ordered to be committed to a committee of the whole House, on Thursday next.

A bill, “to revive and amend an act, entitled ‘an act, to make provision for the support and maintenance of idiots, lunatics, and other persons of unsound minds,’” was read a second time, and ordered to be engrossed and read a third time.

A bill, “for establishing a town at the courthouse of the county of Washington,” was read a second time, and ordered to be engrossed and read a third time.

A message from the Senate by Mr. Ellzey:

Mr. SPEAKER,—The Senate have agreed to all the amendments made by this House, to their amendments to the bill, entitled “an act, for more effectually guarding against counterfeiters of the paper currencies,” except the amendment made to their third amendment, which they disagree to; and desire this House to recede from. And then he withdrew.

The House proceeded to the reconsideration of the amendment made by this House to the third amendment of the Senate to the bill entitled “an act, for more effectually guarding against counterfeiters of the paper currencies.”

And the said amendment being read,

*Resolved*, That this House doth insist on their said amendment to the third amendment of the Senate.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

A bill, “for establishing several new ferries, discontinuing a former one, and for other purposes,” was read a second time, and ordered to be committed to a committee of the whole House, on Thursday next.

A bill, “to confirm certain surveys of land made by James Patton, deceased, and directing patents to be granted for the same,” was read a second time, and ordered to be committed to the committee of Propositions and Grievances.



Mr. Mason presented, according to order, a bill, "for establishing a county to include the inhabitants of this Commonwealth on the western side of the Ohio river, and for the better government of those inhabitants;" and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for speedily recruiting the Virginia regiments on the continental establishment," and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the same under their consideration, and made some progress therein; but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have receded from their disagreement to the amendment made by this House to the third amendment of the Senate, to the bill "for more effectually guarding against counterfeiters of the paper currencies." And then he withdrew.

A bill, "for establishing a county to include the inhabitants of this Commonwealth on the western side of the Ohio river, and for the better government of those inhabitants," was read a second time, and ordered to be committed to a committee of the whole House, to-morrow.

Mr. Parker, according to the order of Saturday last, reported, from the committee appointed to consider what compensation it may be just and proper to make to Richard Henderson and Company, that the committee had, according to order, had the same under their consideration, and had agreed upon a report and come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended were agreed to, as followeth:

*Resolved*, That a tract of country not exceeding 400,000 acres, be granted to Richard Henderson and Company.

*Resolved*, That the said tract of land ought to be laid off in manner following, to wit: beginning at the mouth of Green river, thence running up the same twenty-five miles, when reduced to a straight line; thence running at right angles with the same reduced lines, twelve and a half miles on each side of the said river; thence running lines from the termination of the line extended on each side of the said Green river, at right angles with the same, till the said lines intersect the Ohio, which said lines shall be the western boundary of the said tract.

But this being intended as full compensation to R. Henderson and Company, for all their charge and trouble, and for all advantages accruing therefrom to the Commonwealth; *it is the opinion of this committee*, that the said R. Henderson and his partners, be excluded from any further claim to lands, on account of any settlement or improvements heretofore made by them, or any of them, in that country.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions; and that the said committee do prepare and bring in the same.

The orders of the day for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill "for amending an act, entitled 'an act for regulating and disciplining the militia,'" being read,

*Ordered*, That the same be put off till Friday next.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill "for extending the boundary line between Virginia and North Carolina," being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till to-morrow morning, 11 o'clock.

## TUESDAY, December 1, 1778.

*Ordered*, That the petition of Benjamin Winslow, which on the 18th day of November last, was ordered to lie on the table, be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for establishing a county to include the inhabitants of this Commonwealth on the western side of the Ohio river, and for the better government of those inhabitants," and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered*, That the said bill, with amendments, be engrossed and read a third time.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions there-

upon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read and agreed to, as followeth:

1. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petitions of divers persons residing on the Cow and Calf Pasture, Bull Pasture, Jackson's river and Back Creek, praying that a new county may be formed out of the counties of Augusta and Rockbridge, be deferred to the next session of Assembly.

2. *Resolved, that it is the opinion of this committee,* That the petition of James Kirk, praying that an act may pass, directing that all vacancies of the trustees of the several towns within this State, not incorporated, may be supplied by persons elected by the freeholders of the said towns, is reasonable.

3. *Resolved, that it is the opinion of this committee,* That the farther consideration of the representation of the administrators of the estate of John Robinson, Esq. respecting the interest of their intestate, with several other gentlemen, in an order of Council, obtained in the year 1753, to survey 100,000 acres of land on Greenbrier river, be deferred until the next session of Assembly.

4. *Resolved, that it is the opinion of this committee,* That the petition of Isaac Lebo, praying to be relieved against judgment by the county court of Washington, by which he was sentenced to suffer three months imprisonment and pay the sum of twenty-five pounds, under the act of Assembly, entitled "an act for the punishment of certain offences," be rejected.

5. *Resolved, that it is the opinion of this committee,* That the memorial of Henry Downs, John Blair, John Willis, George Taylor, Edward Spencer, Robert Slaughter, William Jackson, Alexander Dunlop, James Edwin and Edward Fuller, praying that an order of Council, obtained by them in the year 1745, to take up 50,000 acres of land, lying west of the Cow Pasture or Greenbrier river, may be confirmed, and the memorialists empowered now to survey and lay off the same, be rejected.

6. *Resolved, that it is the opinion of this committee,* That the petition of John Ward, praying that a public ferry may be established from his land in the county of Bedford, across Staunton river, to his land on the opposite shore, in the county of Pittsylvania, is reasonable.

7. *Resolved, that it is the opinion of this committee,* That the petition of the inhabitants of the town of Winchester, praying that the said town may be erected into a corporation, and a certain number of the said inhabitants empowered to make such by-laws as may be thought necessary and proper for keeping order and good government within the said town, is reasonable.

*Ordered,* That a bill or bills, be brought in pursuant to the 2d, 6th and 7th resolutions; and that the committee of Propositions and Grievances do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for speedily recruiting the Virginia regiments on the continental establishment," and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended were agreed to.

The question being put, that the House doth agree with the committee in the 8th amendment, It was resolved in the affirmative.

*Ordered,* That the said bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, respecting the Gun Manufactory, without any amendment. And then he withdrew.

The House being informed, that Mr. Worlick Westwood, one of the members for the county of Elizabeth City, attended in custody of the serjeant at arms,

*Ordered,* That the said Worlick Westwood be discharged out of custody, paying fees.

John Harvey, Esq. having this day resigned the office of a delegate of this Commonwealth in Congress,

*Resolved,* That this House will, on Wednesday next, proceed by joint ballot with the Senate, to the election of a delegate to represent this Commonwealth in Congress, in the room of the said John Harvey, Esq.

*Ordered,* That Mr. Jefferson do acquaint the Senate therewith.

An engrossed bill, "for establishing a town at the courthouse of the county of Washington," was read a third time, and the blanks filled up.

*Resolved,* That the bill do pass, and that the title be, "an act for establishing a town at the courthouse of the county of Washington."

*Ordered,* That Mr. Campbell do carry the said bill to the Senate, and desire their concurrence.

The Speaker laid before the House a letter from the Governor, enclosing two others, respecting a certain Richard Brown.

And the said letters were read,

*Ordered,* That they be referred to the committee, appointed to examine the report of the commissioners, for ascertaining the losses of the late inhabitants of the borough of Norfolk; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

General Nelson presented, according to order, a bill, "to confirm certain surveys of land, made by the Loyal Company," and the same was received and read the first time, and ordered to be read a second time.



*Ordered*, That leave be given to bring in a bill, "for continuing and amending an act for the appointment of naval officers and ascertaining their fees," and that Messrs. Parker and Lee, do prepare and bring in the same.

Mr. Lee reported, from the committee of Public Claims, that the committee had according to order, had under their consideration, a memorial and sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and being amended, are as followeth:

1. *Resolved*, that it is the opinion of this committee, That the memorial of Lieut. Robert White of the 12th Virginia regiment, who had one of his thighs broke by a ball, in an action in the Jerseys, was also much beaten and bruised by the enemy, remained on the field about 24 hours, and was afterwards put into an hospital, where he continued for the space of 11 months, and being rendered unfit to act any longer in the army returned home, and is likely to be a cripple during life, praying relief, is reasonable; and that the memorialist ought to be allowed the sum of 100*l*. for his present relief, and a farther allowance of full pay as a lieutenant during life, to commence from the time of his dismission from the army; and that the allowance of half pay ought to be charged in the account of this Commonwealth against the United States of America.

2. *Resolved*, That the petition of George Thornton, praying to be allowed for a horse, which was impressed to supply the place of one belonging to a brigade of wagons, belonging to the continent, that died on their return from Carolina, which said horse, the property of the petitioner, had not been returned to him, nor any satisfaction made him for the loss, is reasonable; and that the petitioner ought to be allowed the sum of 55*l*., being the appraised value of the said horse; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

3. *Resolved*, that it is the opinion of this committee, That the petition of Sarah Brown, an ancient widow, who had four sons in Captain Boone's company of militia, two of whom were taken prisoners by the enemy at the Salt Springs, and are in captivity, and the others continue in the service of this State, by which means the petitioner is left in distress for want of the common necessities of life, praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for her present relief.

4. *Resolved*, that it is the opinion of this committee, That the petition of John Hook, praying to be allowed for a horse, which was impressed for the use of the guard who attended John Goodrich from Bedford courthouse to Charlottesville, in Albemarle county, which said horse hath not been returned to the petitioner, nor hath any satisfaction been made him for the same, is reasonable; and that the petitioner ought to be allowed 65*l*. for the said horse, being the sum to which he was appraised.

5. *Resolved*, that it is the opinion of this committee, That the petition of John Craig, praying to be allowed for a horse, which was taken into the service of this State, and employed as a pack horse on the expedition against the Cherokees in the year 1776, and was either lost in that service, or sold by the commissary for the benefit of the State, for which no satisfaction hath been made, is reasonable; and that the petitioner ought to be allowed 7*l*. 10*s*. for the said horse, being the sum to which he was appraised.

6. *Resolved*, that it is the opinion of this committee, That the petition of John Walker, praying to be allowed for a horse, which was entered in the service of this State, on the expedition against the Cherokees in the year 1776, and was either lost in that service, or sold for the benefit of the State, for which no satisfaction hath been made, is reasonable; and that the petitioner ought to be allowed 12*l*. for the said horse, being the sum to which he was appraised.

7. *Resolved*, that it is the opinion of this committee, That the petition of Andrew Brumstreter, praying to be allowed for a horse which he made use of, while employed as bullock drover on the Cherokee expedition, in the year 1776, which said horse was lost, and no satisfaction made the petitioner for him, is reasonable; and that the petitioner ought to be allowed 10*l*. 10*s*. for the said horse, being the sum to which he was appraised.

8. *Resolved*, that it is the opinion of this committee, That the petition of James Tuttle, praying to be allowed for a mare which was taken into the service of this State, on the Cherokee expedition in the year 1776, and was lost near the Great Island, for which no satisfaction hath been made, is reasonable; and that the petitioner ought to be allowed 6*l*. for the said mare, being the sum to which she was appraised.

9. *Resolved*, that it is the opinion of this committee, That so much of the petition of Evan Williams and Michael Daugherty, assignees of William White, as prays to be allowed for a horse which was taken into the service of this State, on the Cherokee expedition in the year 1776, and lost, and hath not been recovered, nor any satisfaction made either of them for the same, is reasonable; and that the petitioner ought to be allowed the sum of 11*l*., for the said horse.

10. *Resolved*, that it is the opinion of this committee, That such other part of the said petition, as prays an allowance for the saddle and bridle therein mentioned, be rejected.

11. *Resolved*, that it is the opinion of this committee, That the petition of George Purdie, praying to be allowed for Moses, a negro man slave, who was committed to the jail of the county of Isle of Wight for burglary, some time in the month of December, 1777, who in the night preceding the day appointed for his trial, broke jail and escaped, and hath not been heard of since, be rejected.

12. *Resolved*, that it is the opinion of this committee, That the petition of Benjamin Rogers and others, being part of a company of the militia of Ohio county, ordered out (at the request of General Hand) by the county lieutenant under the command of Capt. Joseph Ogle, in the year 1777, who fell in with a party of Indians that killed and wounded the greater part of the company, and possessed themselves of their guns, &c.: and praying compensation



may be made them for their losses, is reasonable; and that the following allowances ought to be made the several petitioners for their said losses, to wit:

To Benjamin Rogers, for 1 rifle gun,	-	-	-	£ 7 17 6	
a blanket 33s.,	-	-	-	2 3 0	
a blanket 33s., shot pouch and horn, 10s.,	-	-	-		£ 10 0 6
To John Rigdon, Joseph Ogle, James Moore, James Andrew, Charles Stephinsson,	-	-	-		
and Robert Peatt, for 1 blanket each, 33s.,	-	-	-		9 18 0
To the representatives of Notley Mugg, for a smooth gun,	-	-	-		6 10 0
To do. of Henry Sterneighter, for a rifle,	-	-	-		5 0 0
To do. of Matthew Atkinson, for 1 do.,	-	-	-		8 0 0
To do. of Jacob Ogle, for a rifle 8l., a blanket 33s., a shot pouch and horn 10s.,	-	-	-		10 3 0
To do. of Ezekiel Hedges, for a rifle 8l. 10s., a blanket 33s., a shot pouch and horn 10s.,	-	-	-		10 13 0

And that the several sums aforesaid, ought to be charged in the account of this Commonwealth, against the United States of America.

13. *Resolved, that it is the opinion of this committee,* That the petition of John Knibb, one of the inspectors of tobacco at Bermuda Hundred warehouse, praying to be reimbursed the value of 436 lbs. of tobacco which was stolen out of a hoghead belonging to John Ogleby; it appearing that the warehouse was broke open in the night of the 17th or 18th of July, 1770, although under good locks at the time; that a warrant was immediately issued and strict search made after it, but to no purpose, is reasonable; and that the petitioner ought to be allowed the sum of 3l. 12s. 8d., which he paid for the said tobacco.

14. *Resolved, that it is the opinion of this committee,* That the petition of Thomas Johnson, praying to be reimbursed a judgment and costs, obtained against him in the court of the county of Louisa by Charles Yancy, for 12l. 12s., the value of two oxen which he hired of the said Yancy, with a cart to carry the baggage &c. of his company as far as Carr's Bridge, and afterwards was obliged to proceed with them to Fredericksburg in order to join his regiment, where he discharged them, and on their return the said oxen died, is reasonable; and that the petitioner ought to be reimbursed the said judgment, amounting to 12l. 12s., together with the sum of 2l. 13s. 6d. the costs of suit; and that the same ought to be charged in the account of this Commonwealth, against the United States of America.

The 1st, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th and 14th resolutions, being read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 2d resolution being read a second time, was, upon the question put thereupon, disagreed to by the House.

*Ordered,* That Mr. Lee do carry the 1st, 3d, 4th, 5th, 6th, 7th, 8th, 9th 12th, 13th and 14th resolutions, to the Senate, and desire their concurrence.

Mr. Kello reported, from the committee appointed to examine the enrolled bills, that the committee had accordingly to order, examined several of the said bills, and rectified such mistakes as appeared therein.

*Ordered,* That Mr. Kello do carry the enrolled bills to the Senate, for their inspection.

*Ordered,* That Mr. Hardy, have leave to be absent from the service of this House, till Saturday next.

*Ordered,* That leave be given to bring in a bill, "to amend the act, establishing a board of auditors;" and that Messrs. Jefferson, G. Mason, Nicholas, Kello and Parker, do prepare and bring in the same.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "to amend an act, entitled 'an act, for establishing a General Court, and other purposes,'" being read,

*Ordered,* That the same be put off till Saturday next.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the bills, "to amend an act, entitled 'an act for raising a supply of money for public exigencies,'" and "to expel from this Commonwealth, and prevent the return of such persons in future as have shown themselves inimical to the liberties of America," and also, on the state of the Commonwealth, being read,

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 11 o'clock.

WEDNESDAY, December 2, 1778.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have inspected certain enrolled bills, and find them truly enrolled, and their Speaker has signed them. And then he withdrew.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for making an additional allowance to Gabriel Maupin, with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The Speaker signed certain enrolled bills, reported from the Senate and signed by their Speaker.

The House proceeded to the consideration of two resolutions of the committee of Public Claims, which, on the 21st day of October last, were ordered to lie on the table.

And the said resolutions being read, were amended and agreed to, as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of Thomas Davidson, a soldier in the 4th Virginia regiment, who being rendered unfit for duty, from the hardships he suffered while in the army, and the loss of one eye, occasioned by the smallpox, was discharged, and in travelling home incurred considerable expense, is reasonable: and that the petitioner ought to be reimbursed his travelling expenses, amounting to the sum of 12*l.*, and also to be allowed the sum of 30*l.* for his present relief, and half pay as a soldier for the term of six years; and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Resolved, that it is the opinion of this committee,* That the petition of Ulysses Rogers, a soldier in the 6th Virginia regiment, who received a wound in one of his thighs at Fort Mifflin, which has rendered him incapable of getting a livelihood by labor, is reasonable; and that the petitioner ought to be allowed the sum of 30*l.* for his present relief, and a farther allowance of half pay, as a soldier, for the term of six years, and that the same ought to be charged in the account of this Commonwealth against the United States of America.

*Ordered,* That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Nicholas presented, according to order, a bill "to declare the paper currency of this State, and of the United States, a legal tender;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Jefferson presented, according to order, a bill "for amending the 'act establishing a Board of Auditors for public accounts,'" and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to amend an act, entitled 'an act for raising a supply of money for public exigencies,'" and after some time spent therein, Mr. Speaker resumed the chair, and Gen. Nelson reported, that the committee had, according to order, had the said bill under their consideration, and had made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved,* That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for altering the court days of the counties of Pittsylvania, Botetourt and Henry."

Also, to the bill, entitled "an act for reviving several public warehouses for the inspection of tobacco," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

Gen. Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration a bill, "to confirm certain surveys of land made by James Patton, deceased, and directing patents to be granted for the same," to them committed; and had gone through the same, and made no amendment thereto.

*Ordered,* That the said bill be engrossed and read a third time.

The House proceeded to consider the amendments made by the Senate to the bill, entitled "an act for reviving several public warehouses for the inspection of tobacco."

And the said amendments were read, and being amended, were agreed to.

*Ordered,* That Mr. G. Carrington do acquaint the Senate therewith, and desire their concurrence to the amendments of this House to their amendments.

The Speaker laid before the House a letter from the Governor, concerning the regiment raised for garrison duty,

And the said letter was read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

Mr. Mason presented to the House, the report of the commissioners appointed by an act, entitled "an act to ascertain the value of sundry houses, the property of Robert Tucker, and for other purposes."

*Ordered,* That the said report do lie on the table.

Mr. G. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration divers petitions to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and being amended, were agreed to, as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of divers persons, called seceding Presbyterians, praying that the formality of kissing the book containing the Scriptures of the holy Evangelists, when they are called upon to give testimony, may be altered, and that they may be allowed the liberty of solemnly swearing, by holding up the right hand, is reasonable.

*Resolved, that it is the opinion of this committee,* That so much of the petition of the vestry and other inhabitants of the upper parish of Nansemond county, as prays that the vestry of the said parish may be empowered to dispose of the workhouse and lot of land thereto belonging, in the town of Suffolk, and apply the money arising from such sale to the necessary use of the parish, is reasonable.

*Resolved, that it is the opinion of this committee,* That such other part of the said petition, as prays that the glebe of the said parish may be sold, and the money arising from such sale applied to the necessary uses of the said parish, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of the vestry of the parish of Russell, praying that an act may pass empowering them to sell the glebe of the said parish, be rejected.

*Ordered*, That a bill or bills be brought in pursuant to the second resolution, and that the committee for Religion do prepare and bring in the same.

The order of the day for a call of the House, and on the state of the Commonwealth, and also on the bill, "to expel from this Commonwealth and prevent the return of persons in future, who have shewn themselves inimical to the liberties of America;" being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill, "to enable the treasurer to borrow a farther sum of money;" being read,

*Ordered*, That the same be put off till Saturday next.

Whereas, Mr. John Revely has been lately employed to superintend and manage the public cannon foundery, and speedily to engage proper workmen for carrying on the same;

*Resolved*, That fifty tons of the pig iron brought down from the Buckingham furnace, and lying at the said cannon foundery, be purchased on the public account at the current ready money price; and that Richard Adams and Turner Southall, Esquires, be empowered to contract with Messrs. John Balendine and John Revely, for the same, and that their certificate shall entitle the said Balendine and Revely to payment at the treasury.

*Ordered*, That George Mason do carry the said resolution to the Senate, and desire their concurrence.

And then the House adjourned till to-morrow morning, 11 o'clock.

#### THURSDAY, December 3, 1778.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the amendment made by this House to their third amendment to the bill, entitled "an act, for reviving several public warehouses for the inspection of tobacco." And then he withdrew.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to proceed on Tuesday next, by joint ballot with this House, to elect a delegate to represent this Commonwealth in Congress, in the room of John Harvey, Esq.

The Senate have receded from their amendment to the resolution of this House, for making a certain allowance to Sarah Humphreys. And then he withdrew.

A message from the Senate by Mr. Fleming:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for establishing a town at the courthouse of the county of Washington." And then he withdrew.

An engrossed bill, "for establishing a county, to include the inhabitants of this Commonwealth on the western side of the Ohio river, and for the better government of those inhabitants;" was read the third time, and the blanks filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, for establishing the county of Illinois, and for the more effectual protection and defence thereof."

*Ordered*, That Mr. T. Mason do carry the said bill to the Senate, and desire their concurrence.

An engrossed bill, "to confirm certain surveys of land made by James Patton, deceased, and directing patents to be granted for the same;" was read the third time;

The question being put that the bill do pass,

It passed in the negative.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had agreed upon a report, and come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended were agreed to, as followeth:

1. *Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of William Savage, praying to be allowed for the sails that were taken from a vessel, the property of the petitioner, and applied to the use of the vessels belonging to this State, and also for compensation to be made him for the injury he thereby sustained, be deferred to the next session of Assembly.

2. *Resolved*, that it is the opinion of this committee, That the petition of Jacob Ellegood, a prisoner of war, praying that he may be permitted to reside on his plantation in the county of Princess Anne, upon parole, be rejected.

3. *Resolved*, that it is the opinion of this committee, That the memorial of William Bland, ordinary of Newgate, praying that a farther annual allowance may be made him for his services in that office, is reasonable.

4. *Resolved*, that it is the opinion of this committee, That the additional sum of fifty pounds per annum, ought to be allowed and paid to the said William Bland.

5. *Resolved*, that it is the opinion of this committee, That the petition of Martin Grider and John Grider, (who were fined and imprisoned under the act of Assembly, entitled "an act, for the punishment of certain offences,") praying to be released and discharged from such imprisonment, upon taking the oath or affirmation of allegiance to the State, be rejected.

6. *Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the counties of "



Amherst and Bedford, praying that a public ferry may be established from the land of Nicholas Davis, near the mouth of Battery creek over the Fluvanna river to his land on the opposite shore, in the county of Amherst, is reasonable.

7. *Resolved, that it is the opinion of this committee,* That the petition of the County Court of Yohogania, praying that an act may pass, enabling them to receive and appropriate the fines arising within the said county, towards the payment of the expenses of the said county, be rejected.

8. *Resolved, that it is the opinion of this committee,* That the petition of the County Court of Monongalia, praying that an act may pass to enable them to demand and receive from the sheriff of the said county all fines by him collected, and to apply the same towards lessening their county levy, be rejected.

9. *Resolved, that it is the opinion of this committee,* That the farther consideration of the memorial of Charles Lynch, praying to be released from his contract of furnishing the public with gun powder at 6s. per pound, to the amount of the hire of certain negroes taken out of the public jail, and put into his possession; as also for repayment of 500l. furnished him out of the public treasury, and to be allowed to pay such balance in money, with interest thereon, be referred to the next session of Assembly.

10. *Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the county of Goochland, praying that the same may be divided into two distinct counties, and that part of the said counties of Louisa and Hanover, may be added thereto, be rejected.

11. *Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the said county of Goochland in opposition thereto, is reasonable.

12. *Resolved, that it is the opinion of this committee,* That the petition of William Robertson and William Robertson, jun. praying to be relieved from the judgments of the County Court of Culpeper, by which they were fined and sentenced to suffer six months imprisonment each, under the act of Assembly, entitled "an act, for the punishment of certain offences," be rejected.

13. *Resolved, that it is the opinion of this committee,* That the petition of sundry persons, lessees of the President and Masters of William and Mary College, praying that they may be permitted to pay off their rents in future with such tobacco as passes in payment of the public dues in the county of Sussex, or in the current money of this Commonwealth at a stated or fixed price, be rejected.

14. *Resolved, that it is the opinion of this committee,* That the memorial of George Walton, in behalf of himself and Joseph and Sherwood Walton, Thomas Franklin, William Walton and Joseph Williams; praying that an order of Council obtained in the year 1751, empowering the memorialists to take up and survey 110,000 acres of land on the waters of Clinch river, may be confirmed; and that the memorialists may be allowed to take up and survey the like quantity of land on the western waters, be rejected.

15. *Resolved, that it is the opinion of this committee,* That the petition of John Fox, praying that a public ferry may be established from his land over York river, to the lands of John Tabb and Price Stanhope, be rejected.

16. *Resolved, that it is the opinion of this committee,* That the petition of John Minor, sheriff of the county of Loudoun, praying that the rate fixed by law, of paying tobacco fees at 12s. 6d. per hundred, and also, the allowance of 1s. per day for victualling criminals, may be increased, is reasonable.

17. *Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the town of Staunton, praying that an act may pass, empowering the trustees of the said town, to assess the expense of repairing the streets, and fixing proper aqueducts for conveying water through the said town, on the freeholders and inhabitants thereof, and also to prevent hogs running at large therein, is reasonable.

18. *Resolved, that it is the opinion of this committee,* That the petition of John Owens, praying that a public ferry may be established from his land, in the county of Pittsylvania, over Dan river to the land of Sylvester Adams on the opposite shore, is reasonable.

19. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of John Chewning, praying that a public ferry may be established from his land, in the county of Lancaster, over Rappahannock river, to the town of Urbanna, and that the act of Assembly establishing a ferry from the town of Urbanna, over Rappahannock river to Chetwoods, may be repealed, be deferred to the next session of Assembly.

It appears to your committee, that there are seven mills erected on the river Rappidan, which are exceeding beneficial to the inhabitants of the said counties of Culpeper and Orange and others, insomuch that no prosecutions have ever been entitled to recover the penalties inflicted by the act of Assembly, entitled "an act, to oblige the owners of mills on the river Rappidan, to make openings or slopes in their mill-dams for the passage of fish," although no such slopes were made, and that most of the people residing on the said river have signed the petition for a repeal of the said act.

It also appears to your committee, that should the said act continue in force, obliging the owners of mills to keep openings or slopes through their mill-dams, they will thereby be rendered of no use; that the advantage of having those mills not made subject to the conditions of the said act, is greater to the public than they would be benefited by the fish, if there was no obstruction to their passage up the said river, and that some years ago considerable quantities of fish were taken in the rivers Rappidan and Robinson, but of late they have much decreased.

Whereupon, your committee have come to the following resolution:

20. *Resolved, that it is the opinion of this committee,* That the petitions of divers inhabitants of the counties of Culpeper and Orange, praying that the act of Assembly, entitled "an act, to oblige the owners of mills on the river Rappidan, to make openings or slopes in their mill-dams for the passage of fish," may be repealed, is reasonable.

*Ordered*, That General Nelson do carry the 3d and 4th resolutions to the Senate, and desire their concurrence.

*Ordered*, That a bill or bills, be brought in pursuant to the 6th, 17th, 18th and 20th resolutions, and that the committee of Propositions and Grievances do prepare and bring in the same.

*Ordered*, That the 16th resolution be referred to the committee of the whole House, on the bill, "to amend an act, entitled 'an act for the better regulating and collecting certain officers fees, and other purposes.'"

A bill, "to amend an act, for establishing a Board of Auditors," was read a second time, and ordered to be committed to a committee of the whole House, on Monday next.

A petition of certain inhabitants of the town of Alexandria, in opposition to one now depending before the House from certain other inhabitants of the same town, was presented to the House, and read.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Jefferson be added to the committee of Privileges and Elections, and Propositions and Grievances; and Mr. Peachy to the committee to whom the memorial of the Rector and Visitors of William and Mary College is referred.

On a motion made, that the House come to the following resolution, to wit:

*Resolved*, That our delegates in Congress, be instructed to propose to Congress that they recommend to each of the States, named as parties in the articles of confederation heretofore laid before, and ratified by, this Assembly; that they authorize their delegates in Congress to ratify the said articles, together with the delegates of so many other of the said States as shall be willing, so that the same shall be forever binding on the States so ratifying, notwithstanding that a-part of those named shall decline to ratify the same; allowing nevertheless, to the said States, so declining, either a given or indefinite time, as to Congress shall seem best, for acceding to the said confederation, and making themselves thereby members of the Union.

An engrossed bill, "to revive and amend an act, entitled 'an act to make provision for the support and maintenance of idiots, lunatics and persons of unsound minds,'" was read the third time, and the blanks filled up.

*Resolved*, That the bill do pass, and that the title be, "an act to revive and amend an act, entitled 'an act to make provision for the support and maintenance of idiots, lunatics, and persons of unsound minds.'"

*Ordered*, That General Nelson do carry the said bill to the Senate, and desire their concurrence.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, a bill "for the manumission of George, late the property of John Thornton, Esq.," to them committed, and had gone through the same, and made several amendments thereto, which he was ready to report, when the House should think proper to receive them.

*Ordered*, That the said bill with the amendments, do lie on the table.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, a bill "to increase the salaries of certain officers of government," to them committed, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered*, That the said bill with the amendments be engrossed and read a third time.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and on the bills "to enable the treasurer to borrow a farther sum of money," and "to expel from this Commonwealth, and prevent the return in future of such persons as have shewn themselves inimical to the liberties of America," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill "to enable the officers of the Virginia line, and to encourage the soldiers of the same line to continue in the continental service," being read,

*Ordered*, That the same be put off till Tuesday next.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill "for establishing several new ferries, discontinuing a former one, and for other purposes," being read,

*Ordered*, That the same be put off till Thursday next.

And then the House adjourned till to-morrow morning, 11 o'clock.

FRIDAY, December 4, 1778.

An engrossed bill, "for speedily recruiting the Virginia regiments on the continental establishment," was read the third time, and the blanks filled up.

*Resolved*, That the bill do pass, and that the title be, "an act for speedily recruiting the Virginia regiments on the continental establishment."

*Ordered*, That Mr. Carter do carry the said bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for making certain allowances and



paying several sums of money to David Gass, John Martin, James Bunch, Samuel Tomlinson and others, Thomas Clarke, Jacob Cogar, William Weldie, William Dillon, John South and Ephraim Drake, Margaret Drake and Thomas Logwood, James Davis and Thomas Ramsey, Eleanor Brown, Jonathan Herrin, Bartlett Seary and William Buchanan, without any amendment. And then he withdrew.

*Resolved*, That John Harvey and John Banister, Esq's., be desired to attend in this House to-morrow, to answer such questions as may be then propounded to them, touching the conduct of themselves and the rest of the delegates of this Commonwealth in Congress.

*Ordered*, That Mr. Nicholas do acquaint the Senate with the foregoing resolution, and invite them to take seats in this House during the inquiry therein mentioned.

*Ordered*, That Mr. Nicholas do desire John Harvey and John Banister, Esq's., to attend in this House to-morrow, to answer such questions as shall be then propounded to them, touching the conduct of themselves and the rest of the delegates of this Commonwealth in Congress.

Mr. G. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration, sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

1. *Resolved*, that it is the opinion of this committee, That so much of the petition of William Fleming, as prays that the poor of the parish of Botetourt, in the county of Botetourt, may be relieved by the county court in the same manner they formerly were by the vestry, is reasonable.

2. *Resolved*, that it is the opinion of this committee, That the farther consideration of the petitions of divers inhabitants of the county of Caroline, praying that a general assessment may be established, be deferred to the next session of Assembly.

3. *Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of the freeholders and other inhabitants of the parish and county of Amherst; praying that a general assessment may be established, be deferred to the next session of Assembly.

4. *Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of divers inhabitants of the parish of Cople, and county of Westmoreland, praying that an establishment of the church, under proper regulations and restrictions may take place, be deferred to the next session of Assembly.

5. *Resolved*, that it is the opinion of this committee, That the farther consideration of the petitions of divers inhabitants of the county of Mecklenburg, praying that an establishment of the church, under proper regulations and restrictions may take place, be deferred to the next session of Assembly.

6. *Resolved*, that it is the opinion of this committee, That the farther consideration of the memorial of the inhabitants of the county of King William, praying that provision may be made for the support of the clergy, be deferred to the next session of Assembly.

7. *Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of the vestry of the parish of Littleton, praying the advice and direction of the General Assembly, touching the disposition of several sums of money in their hands, belonging to the said vestry, be deferred to the next session of Assembly.

8. *Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Cumberland, praying that the church may be maintained in all its legal rights, and the ministers thereof made accountable for their conduct, and removed on misbehavior, be rejected.

The 1st, 2d, 3d, 4th, 5th, 6th and 8th resolutions, being read a second time, were, upon the question severally put thereupon, agreed to by the House.

The 7th resolution being read a second time, and upon the question put, that it be recommitted to the same committee,

It was resolved in the affirmative.

*Ordered*, That a bill or bills, be brought in pursuant to the first resolution, and that the committee for Religion do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to amend an act entitled 'an act for raising a supply of money for public exigencies,'" and after some time spent therein, Mr. Speaker resumed the chair, and Gen. Nelson reported, that the committee had, according to order, had the said bill under their consideration, and had made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

*Ordered*, That Mr. Russell, have leave to be absent from the service of this House till Tuesday next, and Mr. Burr Harrison till to-morrow fortnight.

*Ordered*, That leave be given to bring in a bill "for establishing a Court of Appeals," and that Messrs. T. Hite, Jefferson, G. Mason, Tyler, and T. Mason, do prepare and bring in the same.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "to amend an act, entitled 'an act for regulating and disciplining the militia,'" being read,

*Ordered*, That the same be put off till Tuesday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "to expel



from this Commonwealth, and prevent the return of persons in future, who have shown themselves inimical to the liberties of America," being read,

*Ordered*, That the same be put off till Monday next.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and also on the bill, "to revive and amend an act, entitled 'an act for the better regulating and collecting certain officers fees, and for other purposes,'" being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 11 o'clock.

## SATURDAY, December 5, 1778.

The House proceeded in the presence of the Senate, to propound certain questions to John Harvie and John Banister, Esquires, touching the conduct of themselves, and the rest of the delegates of this Commonwealth in Congress, and after some time spent therein, the Senate and the said John Harvie and John Banister, Esquires, withdrew.

The House proceeded, to consider the amendments made by the Senate, to the resolutions for paying certain sums of money to Gabriel Maupin, Samuel Ingram, and certain officers of the General Court.

And the said amendments being read, were agreed to by the House.

*Ordered*, That Mr. Lee, do acquaint the Senate therewith.

*Ordered*, That Messrs. T. Mason, and Curle, have leave to be absent from the service of this House till Monday next.

A motion was made, and the question, that the bill "for establishing a land office," be read a second time,

It passed in the negative.

*Ordered*, That the said bill be read a second time, on the 10th day of March next.

Mr. Parker presented, according to order, a bill "to vest certain lands on the Ohio and Green rivers, in fee simple in Richard Henderson and Company, and their heirs," and the same was received and read the first time, and ordered to be read a second time.

Mr. Lee reported, from the committee of Public Claims, that the committee had, according to order, had under their consideration the claim of Abraham Cole, and sundry petitions to them referred, and the petition of James Thornton to them recommitted, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table.

*Ordered*, That the said report and resolutions do lie on the table.

Mr. G. Carrington presented, according to order, a bill, "declaring marriages solemnized by dissenting ministers lawful;" and the same was received and read the first time, and ordered to be read a second time.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "to amend an act, entitled 'an act for establishing a General Court, and for other purposes,'" being read,

*Ordered*, That the same be put off till Wednesday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, entitled "an act, for the better regulating and collecting certain officers fees, and other purposes," being read.

*Ordered*, That the same be put off till Tuesday next.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and on the bills "to enable the treasurer to borrow a farther sum of money," and, to amend "an act, entitled 'an act for raising a supply of money for public exigencies,'" being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 11 o'clock.

## MONDAY, December 7, 1778.

A bill, "to vest certain lands on the Ohio and Green Rivers in fee simple, in Richard Henderson and Company, and their heirs," was read a second time, and ordered to be committed to a committee of the whole House to-morrow.

A message from the Senate by Mr. Jones:

Mr. SPEAKER,—The Senate have agreed to the resolution of this House, for paying a certain sum of money to John Edwards, without any amendment. And then he withdrew.

A bill, "to confirm certain surveys of land made by the Loyal Company," was read a second time,

A motion was made, and the question being put, that the said bill be committed.

It passed in the negative.

*Resolved*, That the said bill be rejected.

A bill, "declaring marriages solemnized by dissenting ministers lawful," was read a second time.

A motion was made, and the question being put, that the said bill be committed,

It passed in the negative.

*Resolved*, That the said bill be rejected.

The House proceeded to consider the amendments, made by the committee of Propositions and Grievances, to the bill, "for the manumission of George, late the property of John Thornton Esq.;" and the said amendments being read, were agreed to by the House.

*Ordered*, That the said bill, with the amendments, be engrossed and read the third time.

The Speaker laid before the House a letter from the treasurer, upon the subject of the balance due from the late receiver general to the Commonwealth, and of the money in his hands arising from the sale of Lord Dunmore's estate; and also, two depositions of the said receiver general.

And the said letter and depositions were read, and ordered to lie on the table.

The House proceeded to nominate persons to be ballotted for, to represent this Commonwealth in Congress, in the room of John Harvie, Esq. until the 11th day of August next.

*Ordered*, That Mr. Nicholas do carry a list thereof to the Senate.

The House according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to amend an act, entitled 'an act, for raising a supply of money for public exigencies,'" and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table.

*Ordered*, That the said bill, with the amendments, do lie on the table.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying certain sums of money to John Hook, Thomas Johnson, Edward Douglas, Evan Williams, Michael Daugherty, and Benjamin Saddler, jun., without any amendment. And then he withdrew.

John Banister, Esq., having this day resigned the office of a delegate of this Commonwealth in Congress, by a letter addressed to the Speaker;

*Resolved*, That this House will, on Thursday next, proceed by joint ballot with the Senate, to elect a delegate to represent this Commonwealth in Congress, until the 11th of August next, in the room of John Banister, Esq.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

General Nelson presented, according to order, a bill "to repeal the act, entitled 'an act, to oblige the owners of mills on the river Rappidan, to make openings or slopes in their mill-dams for the passage of fish; and the same was received and read the first time, and ordered to be read a second time.

Also, a bill, "to empower the trustees of the town of Staunton, to assess the expense of repairing the streets of the said town and fix aqueducts therein, on the inhabitants thereof, and for other purposes;" and the same was received and read the first time, and ordered to be read a second time.

Also, a bill, "to empower the freeholders of the several towns not incorporated, to supply the vacancies of the trustees and directors thereof;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Hite presented, according to order, a bill "for appointing commissioners to adjust the claims to unpatented lands within this Commonwealth, in order that legal titles may be made to the same;" and the said bill was received.

*Resolved*, The said bill be read the first time on the tenth day of March next.

Gen. Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, several remonstrances and petitions to them referred, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table.

*Ordered*, That the said report and resolutions do lie on the table.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the bills, "to extend the boundary line between Virginia and North Carolina," "to expel from this Commonwealth, and prevent the return of persons in future who have shewn themselves inimical to the liberties of America," "to enable the treasurer to borrow a farther sum of money," "to amend an act, for establishing a board of auditors," and on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 11 o'clock.

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## TUESDAY, December 8, 1778.

*Ordered*, That leave be given to bring in a bill, "for further suspending the payment of the salaries heretofore given to the clergy of the church of England;" and that Mr. G. Carrington do prepare and bring in the same.

A bill, "to repeal the act, entitled 'an act to oblige the owners of mills on the river Rappidan, to make openings or slopes in their mill dams for the passage of fish,'" was read a second time, and ordered to be engrossed and read a third time.

A bill, "to empower the freeholders of the several towns not incorporated, to supply the vacancies of the trustees and directors thereof;" was read a second time, and ordered to be engrossed and read a third time.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act to make provision for the support and maintenance of idiots, lunatics, and persons of unsound minds."

They also propose, as no person is nominated to be ballotted for, as a delegate to represent this Commonwealth in Congress in the room of John Harvie, Esq. but Thomas Nelson, jun. Esq. that the said Thomas Nelson, jun. Esq. be elected to that office without the formality of a ballot.

Mr. G. Carrington presented, according to order, a bill, "for dissolving several vestries, and for other purposes," and the same was received, and read the first time.

Mr. T. Hite presented, according to order, a bill, "for establishing a Court of Appeals," and the same was received and read the first time, and ordered to be read a second time.

Mr. Parker reported, from the committee to whom the letters and papers charging Richard Brown with being inimical to this country, were referred, that the committee had, according to order, inquired into the same, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved, that it is the opinion of this committee,* That the charge against the said Richard Brown, as being unfriendly to this country, is groundless and vexatious.

The House proceeded to consider the report from and resolutions of the committee of Public Claims, which were ordered on Saturday last to lie on the table.

1. *Resolved, that it is the opinion of this committee,* That the petition of Abraham Bogard, praying to be allowed for a mare which was entered into the service of this State on the expedition against the Shawanese in the year 1774, and shot by the Indians, for which no satisfaction hath been made him, is reasonable; and that the petitioner ought to be allowed 7l. 10s. for the said mare, being the sum to which she was appraised.

2. *Resolved, that it is the opinion of this committee,* That the petition of Nathaniel Henderson, praying to be allowed for a negro man who had lived about four years in or near Fort Boon, and was killed by the Indians, in defending the said Fort, when attacked by them, he having been furnished with arms and ammunition for that purpose, by the officer who commanded that place, be rejected.

3. *Resolved, that it is the opinion of this committee,* That the petition of Edward Priggett, James McCarty, and Jacob Vance, who had entered three horses into the service of this State on the Cherokee expedition in the year 1776, which said horses were lost and no satisfaction hath been made either of them for the same, is reasonable; and that the following allowances ought to be made the petitioners for their respective horses, to wit: to Edward Priggett, 7l.; James McCarty, 6l. 6s. 6d.; and Jacob Vance, 8l.

4. *Resolved, that it is the opinion of this committee,* That the petition of Thomas Dudley, one of the inspectors of tobacco at Shepherd's warehouse, praying to be allowed for 200 lbs. of tobacco, stolen out of the said warehouse, be rejected for want of sufficient proof.

5. *Resolved, that it is the opinion of this committee,* That the petition of Squire Boon, who was sent express by order of the commanding officer of Kentucky to the Governor, and on his way to Williamsburg lost his horse; praying to be allowed for the same, be rejected.

6. *Resolved, that it is the opinion of this committee,* That the petition of James Adams, praying to be allowed for a mare which was taken for the use of the militia of Bedford county, when on their march to Kentucky, and lost, for which no satisfaction hath been made him, is reasonable; and that the petitioner ought to be allowed 13l. 10s. for the said mare, being the sum to which she was appraised.

7. *Resolved, that it is the opinion of this committee,* That the petition of Michael Murphey, praying to be allowed for a horse which was taken for the use of the militia of Bedford county, when on their march to Kentucky, and lost, for which no satisfaction hath been made him, is reasonable; and that the petitioner ought to be allowed 10l. for the said horse, being the sum to which he was appraised.

8. *Resolved, that it is the opinion of this committee,* That the petition of William Wroe, late a serjeant in the 5th Virginia regiment, who, while on furlough, was taken sick, and being too remote from any surgeon or hospital of the army, applied to Dr. Walter Jones for assistance, whose account for attendance and medicines amounts to 3l. 11s., praying to be reimbursed the same, is reasonable; and that the petitioner ought to be repaid the said sum of 3l. 11s., and that the same ought to be charged in the account of this Commonwealth against the United States of America.

9. *Resolved, that it is the opinion of this committee,* That the petition of Sarah Morton, whose husband, Edmond Morton, a lieutenant in the navy, was taken on a trading voyage and hath never returned, leaving the petitioner, with a young child, in distressed circumstances, praying relief, be rejected.

10. *Resolved, that it is the opinion of this committee,* That the petition of Daniel Morgan and Edward Snickers, praying to be allowed for thirteen guns furnished Col. John Smith for the use of the militia of Frederick county, when ordered out in the service of this State on the Ohio, is reasonable; and that the petitioners ought to be allowed for the same as followeth, to wit: to Daniel Morgan, for ten guns, 50l., and to Edward Snickers, for three ditto, 15l.

11. *Resolved, that it is the opinion of this committee,* That the petition of John Raines, whose wagon and team



were impressed and employed in carrying the baggage of the 4th Georgia battalion of continental troops from Petersburg in this State, to Wilmington in North Carolina, praying to be allowed for the use of the same, be rejected.

12. *Resolved, that it is the opinion of this committee,* That the petition of Thomas Jordan, jun., a soldier in Capt. John Thornton's company of the 3d Virginia regiment, who, after being in the service about a year, was taken very sick, in consequence whereof he lost part of both his feet, and by that means was rendered unfit for duty and discharged, and is not able to get a livelihood by labor, praying relief, is reasonable; and that the petitioner be allowed the sum of 30l. for his present relief, and a farther allowance of half pay during life, to commence from the date of his discharge; and that the allowance of half pay ought to be charged in the account of this Commonwealth against the United States of America.

13. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of John Stratton, praying to be compensated for the damages which he hath sustained by the soldiery, in consequence of a fort being erected on his land, and for the wood consumed thereat, be deferred to the next session of Assembly.

14. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of Thomas Parramore, praying that his negro man slave, Aaron, who was taken in making his escape to the enemy, and sent to Williamsburg, and by the committee of Safety ordered to the lead mines, may be returned with hire, be deferred to the next session of Assembly.

15. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of John Furbush Turner, praying to be allowed for his vessel which was impressed to convey part of the 9th Virginia regiment to the Head of Elk, and taken by the enemy, and also for his services, be deferred to the next session of Assembly.

16. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of Thoroughgood Smith, administrator of Patrick Galt, deceased, praying to be allowed for his services as surgeon to the 9th Virginia regiment previous to the appointment thereto, be deferred to the next session of Assembly.

17. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of William Bruce, one of the inspectors of tobacco at Morton's and Gibson's warehouses, praying to be reimbursed the money paid by him for a certain quantity of tobacco supposed to have been stolen at sundry times out of the said warehouses, be deferred to the next session of Assembly.

18. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of William Montague, praying that his slave Bristol, who was taken up in attempting to get on board some of the enemy's ships and sent to Williamsburg, and afterwards employed in some of the public works of this State, may be returned with hire; and also to be allowed for a yawl in which the said Bristol and several other slaves were when taken, be deferred to the next session of Assembly.

19. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of Peter Ferqueren, praying to be allowed for a horse, which was impressed for the use of the militia of Bedford county, on their march to Kentucky, be deferred to the next session of Assembly.

20. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of Richard Epperson, who was wounded by the Indians when guarding the fort of Boonesborough, praying relief, be deferred to the next session of Assembly.

21. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of Leanna Hutchings, guardian to her son William Hutchings, praying that Sam, a negro man slave, the property of the said William, who was taken up in Chesapeake Bay, in endeavoring to get on board some of the enemy's ships, and sent to the public jail, and afterwards employed in some of the public works of this State, may be returned, or a reasonable hire allowed for his services, be deferred to the next session of Assembly.

22. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of John Callaway, praying a farther allowance for the use of his wagon and team, which was employed in transporting the baggage of the troops raised in the county of Bedford, on their march to headquarters, be deferred to the next session of Assembly.

23. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of Charles Sayers, praying that his negro man slave Africa, who was taken in the service of Lord Dunmore, by our troops at the Great Bridge, and sent to Williamsburg, and afterwards was ordered by the committee of Safety to the lead mines, may be returned with hire, be deferred to the next session of Assembly.

24. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of Charles Gwatkins, praying to be allowed for a horse, supposed to have been lost in the service of this State, be deferred to the next session of Assembly.

25. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of Peter Hansborough, praying to be allowed for his negro man Sharper, who was committed to the jail of Stafford county, on suspicion of administering poison, where, for want of a court to try him, he remained five months, during which period he got frost-bitten, and soon after his releasement died, be deferred to the next session of Assembly.

26. *Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of Andrew Little, praying to be allowed for two mares and a horse lost on the Cherokee expedition, be deferred to the next session of Assembly.

27. *Resolved, that it is the opinion of this committee,* That the petition of James Thornton, praying an allowance for his trouble and maintenance of his son Jeremiah Thornton, a soldier in the continental service, who was wounded

in the battle at Brandywine, and by permission of General Woodford was brought home from camp for his recovery; also, for the expenses incurred by him in bringing home his said son, is reasonable; and that the petitioner ought to be allowed for his trouble in nursing and maintaining his said son at the rate of 10*l.* per day for the time he continued at his house, being 92 days, amounting to the sum of 3*l.* 16*s.* 8*d.*; also the sum of 11*l.* 1*s.* the amount of the expense incurred on the journey.

It appears to your committee, that three hogsheds of tobacco, marked with John Rose's mark, were part of 150 hogsheds, or thereabouts, that were carried off by the great fresh, in the year 1771, and lodged at Howlett's; that upon picking the said tobacco, only 36,236 lbs. were saved, which was sold by the commissioners, and the money arising therefrom paid into the treasury.

Whereupon, your committee came to the following resolution:

25. *Resolved*, that it is the opinion of this committee, That the petition of the said John Rose, is reasonable; and that the petitioner ought to be allowed the sum of 7*l.* 4*s.* for his tobacco, being the averaged proportion of the whole amount.

The 1st, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th and 28th resolutions being twice read, were, upon the question severally put thereupon, agreed to by the House.

The second resolution being twice read, and the question put, that it be recommitted to the same committee,

It was resolved in the affirmative.

*Ordered*, That Mr. Lee do carry the 1st, 3d, 6th, 7th, 8th, 10th, 12th, 27th and 28th resolutions to the Senate, and desire their concurrence.

*Resolved*, That if it shall hereafter appear that the arrears of quit rents, and of the impost of 2*s.* a hogshedd of tobacco in the hands of the said Richard Corbin, and which have been or shall be paid by him into the treasury of this Commonwealth, shall have been paid or made good to his Britannic Majesty, out of the effects of the said Richard Corbin within the British dominions, this Assembly will indemnify him out of the effects within this Commonwealth, belonging to British subjects.

*Ordered*, That Mr. Jefferson do carry the said resolution to the Senate, and desire their concurrence.

*Resolved*, That the property of Lord Dunmore, in the hands of the treasurer of this Commonwealth, and the property of other British subjects, lodged in the loan office, are subject to the demands of their respective creditors; and that the said treasurer is and ought to be at liberty to apply the same, in obedience to the process of any court of justice.

*Ordered*, That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "to prevent the distillation of spirits from rye or other grain, for a certain limited time;" and that Mr. G. Mason do prepare and bring in the same.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for purchasing fifty tons of pig iron for the cannon foundry, without any amendment. And then he withdrew.

The House proceeded to consider the resolutions of the committee of Propositions and Grievances; which were yesterday ordered to lie on the table.

1. *Resolved*, that it is the opinion of this committee, That so much of the remonstrances of the freeholders of the counties of Halifax and Prince William, as prays that the act, passed last session of Assembly, entitled "an act, to increase the allowance to the members of the General Assembly;" may be repealed, is reasonable.

2. *Resolved*, that it is the opinion of this committee, That such other parts of the said remonstrances, as pray that a proper mode may be adopted for giving the members of the General Assembly an adequate allowance for their services, is reasonable.

3. *Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Princess Anne, praying that the place for holding courts in the said county may be fixed at Kemp's landing, and that courts for the said county, may, until the proper buildings shall be completed, be held in some one house at the said Kemp's landing, is reasonable.

4. *Resolved*, that it is the opinion of this committee, That the petition of Margaret Goodrich, praying that the slaves belonging to her husband John Goodrich, now in the service of the public, may be restored to her to enable her to support herself and children, be rejected.

5. *Resolved*, that it is the opinion of this committee, That the petition of Paul Thilman, praying that he may be allowed to keep a ferry, from the land of Thomas Garland, in the county of Hanover, over Pamunkey river, to the land of James Dismukes, on the opposite shore in the county of Caroline, be rejected.

The 1st and 2d resolutions being twice read, were ordered to lie on the table.

The 3d, 4th and 5th resolutions being twice read, were, upon the question severally put thereupon, agreed to by the House.

*Ordered*, That a bill or bills, be brought in pursuant to the 3d resolution; and that the committee of Propositions and Grievances do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "for giving the members of the General Assembly an adequate allowance for their services;" and that Messrs. Jefferson, General Nelson, G. Mason, T. Mason, Nicholas and Page, do prepare and bring in the same.



A motion was made that the House come to the following resolution :

*Resolved*, That the Governor with the advice of the Council, be empowered to instruct the board of commissioners, from time to time, to have such material alterations made in, and arrangements of the Navy, as may be judged expedient and necessary.

And also, to direct the erecting such fortifications and batteries on the Bay of Chesapeake, as may in co-operation with the Navy, more effectually protect the trade than hath been done hitherto.

*Ordered*, That the said resolution, and the inventories of the ships *Minerva* and *Hancock*, do lie on the table. General Nelson presented, according to order, a bill, "for incorporating the town of Winchester in the county of Frederick;" and the same was received and ordered to be read the first time, on the first Thursday in next March.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for amending the act establishing a board of auditors;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration and gone through the same, and made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

Mr. G. Carrington presented, according to order, a bill, "for farther suspending the payment of the salaries heretofore given to the clergy of the church of England," and the same was received and read the first time, and ordered to be read a second time.

*Resolved*, That Thomas Nelson, jun. Esq., be elected a delegate to represent this Commonwealth in Congress until the 11th day of August next, in the room of John Harvie, Esq. who hath resigned.

*Ordered*, That Mr. Nicholas carry the said resolution to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to vest certain lands on the Ohio and Green rivers, in fee simple in Richard Henderson and Company, and their heirs;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for making certain allowances, and paying certain sums of money to Robert White, Andrew Brumstreter, James Tuttle, Sarah Brown, John Knibb, Benjamin Rogers, and John Walker, without any amendment.

Also, to the resolution for paying a certain sum of money to John Craig, with an amendment, to which the Senate desire the concurrence of this House. And then he withdrew.

An engrossed bill, "for the manumission of George, late the property of John Thornton, Esq." was read a third time.

*Resolved*, That the bill do pass, and that the title be, "an act concerning emancipation."

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.

A bill, "to empower the trustees of the town of Staunton, to assess the expense of repairing the streets of the said town, and fixing aqueducts therein, on the inhabitants thereof, and for other purposes," was read a second time, and ordered to be committed to the committee of Propositions and Grievances.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and also, on the bills, "to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service;" "to amend an act, entitled 'an act for regulating and disciplining the militia;'" "to amend an act, entitled 'an act for the better regulating and collecting certain officers fees;'" "to extend the boundary line between Virginia and North Carolina;" and "to enable the treasurer to borrow a farther sum of money;" and "to expel from this Commonwealth, and prevent the return of such persons in future as have shewn themselves inimical to the liberties of America," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 11 o'clock.

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### WEDNESDAY, December 9, 1778.

An engrossed bill, "to vest certain lands, on the Ohio and Green rivers, in fee simple in Richard Henderson and Company, and their heirs," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, to vest certain lands, on the Ohio and Green rivers, in fee simple in Richard Henderson and Company and their heirs."

*Ordered*, That Mr. Page do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to repeal the act, entitled 'an act, to oblige the owners of mills on the River Rappidan, to make openings or slopes in their mill-dams for the passage of fish,'" was read the third time.



*Resolved*, That the bill do pass, and that the title be, "an act to repeal the act, entitled 'an act, to oblige the owners of mills on the River Rappidan, to make openings or slopes in their mill-dams, for the passage of fish.'"

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to empower the freeholders of the several towns, not incorporated, to supply the vacancies of the trustees and directors thereof," was read the third time.

*Resolved*, that the bill do pass, and that the title be, "an act, to empower the freeholders of the several towns not incorporated, to supply the vacancies of the trustees and directors thereof."

*Ordered*, That Gen. Nelson do carry the bill to the Senate, and desire their concurrence.

Mr. Nicholas presented, according to order, a bill, "to ascertain the mode of impressing wagons, carts, and horses," and the same was received and read the first time, and ordered to be read a second time.

A bill "for establishing a Court of Appeals," was read a second time, and ordered to be committed to a committee of the whole House, to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fleming reported, that the committee had according to order, had the same under their consideration, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

It appearing to your committee, that there are great disorders and frequent commotions prevailing on the north-western frontier of this Commonwealth, adjoining to the borders of Pennsylvania, occasioned by part of the inhabitants, considering themselves citizens of the Commonwealth of Pennsylvania, each reciprocally refusing obedience to the laws of the United States, whereby the exertions of both are enfeebled, to the injury of the common cause;

1. *Resolved*, that it is the opinion of this committee, That a select committee be appointed to consider of, and return an answer to the last proposals made to this Assembly, by the Assembly of Pennsylvania, and to adjust and propose some temporary boundary, to be established and continued, until the true and proper boundaries between the two States, can be finally ascertained and settled.

2. *Resolved*, that it is the opinion of this committee, That the Governor be directed to give instructions to the several officers of this Commonwealth, civil and military, that in the mean time they do not pretend to exercise any jurisdiction over any inhabitants within the said disputed territory, excepting those only who profess themselves to be citizens of this Commonwealth, and to advise proper measures for ascertaining the persons by their own signature, or other evidence, who profess themselves to be citizens of this Commonwealth.

3. *Resolved*, that it is the opinion of this committee, That the Governor be empowered, with the advice of the Council of State, to take such measures as may be necessary, and shall seem probable, for obtaining a loan of gold and silver to this Commonwealth, to such extent as they shall think expedient, and on an interest not exceeding five per centum per annum; and that this Assembly will make good his contracts for that purpose.

*Ordered*, That Mr. Fleming do carry the second and third resolution to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the state of the Commonwealth.

General Nelson presented, according to order, "a bill for altering the place of holding courts in the county of Prince Anne," and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to amend an act, entitled 'an act for the better regulating and collecting certain officers fees, and other purposes,'" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read the third time.

A message from the Senate, by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for establishing the county of Illinois, and for the more effectual protection and defence thereof," with an amendment, to which they desire the concurrence of this House.

They have also agreed to the resolution of this House, for paying a certain sum of money to John Wilson, without any amendment. And then he withdrew.

A bill, "for farther suspending the payment of the salaries heretofore given to the clergy of the church of England," was read the second time, and ordered to be committed to a committee of the whole House, on Friday next.

A bill, "for dissolving several vestries, and for other purposes," was read a second time, and ordered to be committed to the committee for Religion.

The House proceeded to nominate persons proper to be ballotted for, as a delegate to Congress, in the room of John Banister, Esq. who hath resigned.

*Ordered*, That Mr. Page do carry a list thereof to the Senate.

The House proceeded to consider the amendment made by the Senate, "to the bill, entitled 'an act for estab-

lishing the county of Illinois, and for the more effectual protection and defence thereof," and the same was read and agreed to.

*Ordered*, That Mr. T. Mason do acquaint the Senate therewith.

Whereas it hath been recommended by Congress to appoint Wednesday the 30th day of this month, (December,) to be observed as a day of public thanksgiving and praise, by each of the United States;

*Resolved*, That the said 30th day of December, be observed by the citizens of this Commonwealth as a day of public thanksgiving and praise, that they may with united hearts on that day, express a just sense of the unmerited favors of the Almighty, in supporting us in a just and necessary war for the defence of our rights and liberties, in affording us supplies for our armies; in disposing the heart of a powerful monarch to enter into an alliance with the United States, and aid our cause by defeating the councils and evil designs of our enemies, and giving us victory over their troops.

*Resolved*, That all Ministers of the Gospel, of every denomination, be desired to preach a sermon on that day, suitable to the occasion; and that it be recommended to all the citizens of this Commonwealth, to omit on that day, all recreations unsuitable to the purpose of such a solemnity.

An engrossed bill, "for amending the act, 'establishing a board of auditors for public accounts,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for establishing a board of auditors for public accounts."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate and desire their concurrence.

The House proceeded to consider the amendments made by the Senate, to the resolution for paying a certain sum of money to John Craig,

And the same being read, were agreed to.

*Ordered*, That Mr. Lee, do acquaint the Senate therewith.

*Ordered*, That Mr. Bell, have leave to be absent from the service of this House, for the remainder of the session.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the bills, "to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service;" "to amend an act, entitled 'an act for regulating and disciplining the militia;" to extend the boundary line between Virginia and North Carolina;" "to enable the treasurer to borrow a farther sum of money;" "to expel from this Commonwealth, and prevent the return of persons in future, who have shewn themselves inimical to the liberties of America;" and on the bill, "to amend an act, entitled 'an act for establishing a General Court,'" being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 11 o'clock.

#### THURSDAY, December 10, 1778.

*Ordered*, That Mr. Page be added to the committee appointed to consider the memorial of the officers of the Virginia line, in the continental service.

An engrossed bill, "to amend an act, entitled 'an act, for the better regulating and collecting certain officers' fees, and other purposes,'" was read a third time.

*Resolved*, That the bill do pass, and that the title be, "an act, to amend an act, 'for the better regulating and collecting certain officers' fees, and other purposes."

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That Messrs. Moore and Bell, have leave to be absent from the service of this House for the remainder of the session.

Information being given upon oath to this House, that negro Kitt, a man slave, the property of a certain Hinchie Mabry, has been greatly instrumental in the discovery of several persons, concerned in counterfeiting considerable sums of continental money, and has been the means of apprehending two of the said offenders, who are now in the public jail; and it is to be feared that the life of the said Kitt will be in great danger from the discoveries he has made, unless some method is adopted, to secure him from the wrath of those whom he has offended;

*Resolved, therefore*, That the Governor be requested to sequester the said Kitt from his said master, until the end of the next session of Assembly; and that the said Hinchie Mabry be summoned to attend this House, upon the tenth day of the next session, to shew cause why a bill should not pass for the emancipation of the said negro Kitt, the said Hinchie Mabry receiving full compensation for the same.

*Ordered*, That Mr. G. Mason do carry the said resolution to the Senate, and desire their concurrence.

A Message from the Senate by Mr. Ellzey:

MR. SPEAKER.—The Senate have agreed to the resolution of this House, for appointing Thomas Nelson, jun. Esq. a delegate to Congress, without any amendment.

They have agreed to ballot, this day, for a delegate to Congress, in the room of John Banister, Esq., and have added Richard Lee, Esq. to the list of persons nominated to be balloted for. And then he withdrew.



*Resolved*, That the memorial of the Indiana Company, and their claim to certain lands purchased of the Indians at the treaty held at Fort Stanwix, in the year 1768, be taken under the consideration of this House, on the 3d Monday in May next, and that a copy of this resolve be forthwith published, for six weeks successively, in the Virginia Gazette.

The House proceeded to consider the amendments made by a committee of the whole House to the bill, "to amend an act, entitled 'an act for raising a supply of money for public exigencies.'"

And the said amendments were read, and being amended, were agreed to.

A motion was made, and the question being put, that the question that the said bill with the amendments be engrossed and read a third time, be adjourned till to-morrow;

It was resolved in the affirmative.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, "entitled an act, to vest certain lands on the Ohio and Green rivers, in fee simple in Richard Henderson and Company, and their heirs;" with an amendment, to which they desire the concurrence of this House. And then he withdrew.

*Ordered*, That Andrew Lewis, Esq. be withdrawn from the nomination of persons to be ballotted for as a delegate to Congress; and Mr. Campbell do acquaint the Senate therewith.

The House proceeded by joint ballot with the Senate, to elect a delegate to represent this Commonwealth in Congress, in the room of John Banister, Esq.; and it appearing from the report of Messrs. Page, Nicholas, Bowyer, Meriwether and Parker, who were appointed a committee to examine the ballot glasses, that a majority of votes of both Houses of Assembly appeared in favor of William Fleming, Esq.;

*Resolved*, That the said William Fleming, Esq. be elected a delegate to represent this Commonwealth in Congress, in the room of John Banister, Esq., until the 11th day of August next.

*Ordered*, That Mr. Meriwether do carry the resolution to the Senate, and desire their concurrence.

The House proceeded to consider the amendment made by the Senate, to the bill, entitled "an act, to vest certain lands on the Ohio and Green rivers in fee simple in Richard Henderson and Company, and their heirs;"

And the said amendment being read, was disagreed to by the House.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

A bill, "to ascertain the mode of impressing wagons, carts and horses," was read a second time, and ordered to be committed to Messrs. Curle, Kello, Nicholas, Bowyer, Southall and M'Dowell.

A bill, "for altering the place of holding courts in the county of Princess Anne," was read a second time, and ordered to be engrossed and read a third time.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and on the bills, "for establishing several new ferries, discontinuing a former one, and for other purposes;" "for establishing a Court of Appeals;" "to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service;" "to extend the boundary line between Virginia and North Carolina;" "to amend an act, entitled 'an act, for regulating and disciplining the militia, and to enable the treasurer to borrow a farther sum of money;" "to amend an act, entitled 'an act, for establishing a General Court, and other purposes;" and "to expel from this Commonwealth, and prevent the return of persons in future, who have shewn themselves inimical to the liberties of America;" being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That the order of the day for a call of the House, be put off till to-morrow.

And then the House adjourned till to-morrow morning, 11 o'clock.

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#### FRIDAY, December 11, 1778.

Mr. Kello reported, from the committee of Trade, that the committee had, according to order, had under their consideration the petition of divers persons, praying that commissioners may be appointed to buy up the necessaries of life, and sell out to the inhabitants at a moderate advance, and the profits arising therefrom to be paid to the treasurer for the public use, and had come to a resolution thereupon; which he read in his place and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the said petition be rejected.

The House proceeded, to consider the amendments made by a committee of the whole House, to the bill, "to amend an act, entitled 'an act for raising a supply of money for public exigencies;'"

And the said amendments were read.

A motion was made, and the question being put, that the said bill be recommitted to a committee of the whole House to-morrow,

It was resolved in the affirmative.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the



committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended, were agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed, and read the third time.

An engrossed bill, "for altering the place of holding courts in the county of Princess Anne," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for altering the place of holding courts in the county of Princess Anne."

*Ordered*, That Mr. Thoroughgood do carry the said bill to the Senate, and desire their concurrence.

Mr. Nicholas reported, from the committee of Public Claims, that the committee to whom the petition of Edward Archer, was referred, had, according to order, had the same under their consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth :

*Resolved*, that it is the opinion of this committee, That the petition of the said Edward Archer, praying compensation for a house that was destroyed in the borough of Norfolk, by order of Convention, is reasonable.

*Resolved*, that it is the opinion of this committee, That the said Edward Archer, ought to be allowed and paid the sum of 65*l*. by the public, for his house, destroyed in the town of Norfolk.

*Ordered*, That Mr. Nicholas do carry the resolution to the Senate, and desire their concurrence.

Mr. Lee reported, from the committee of Public Claims, that the committee had, according to order, had under their consideration, sundry petitions to them referred, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table.

*Ordered*, That the said report, and resolutions, do lie on the table.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to expel from this Commonwealth, and prevent the return of persons in future, who have shewn themselves inimical to the liberties of America;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had according to order, had the said bill under their consideration, and had made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, again resolve itself into a committee of the whole House, on the said bill, on Monday next.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for establishing a Court of Appeals," and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to.

*Ordered*, That the said bill with the amendments be engrossed, and read a third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for establishing several new ferries, discontinuing a former one, and for other purposes;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he was ready to report, when the House should think proper to receive them,

*Ordered*, That the said report be received to-morrow.

The Speaker laid before the House a letter from the Governor, enclosing several resolutions respecting the Saratoga prisoners of war, and a letter from the secretary of the war office, upon the same subject; and the said letters and resolutions being read, were ordered to be referred to a committee of the whole House, on the state of the Commonwealth.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate have agreed to the resolution of this House, respecting the sequestration of Kitt, a man slave belonging to Hinchie Mabry, without any amendment. And then he withdrew.

Mr. Fleming reported, that the committee appointed to examine the treasurer's accounts, have according to order carefully examined and compared the same with their proper vouchers, from the 20th day of October, 1777, to the 3d day of October last inclusive; and find that the sum of 23,070*l*. 8*s*. 3 1-4*d*., being the balance that appeared from the account last examined, is brought to the credit of the public, as the first article of the treasurer's present account; and that the sum of 10*l*. 10*s*., paid by mistake out of the proceeds of Lord Dunmore's estate, is also brought to the credit of the said estate.

That of the 300,000*l*. directed by act of Assembly, passed in May, 1777, to be emitted, the treasurer hath issued 169,561*l*. 10*s*., and that he hath received upon loan the sum of 80,551*l*. 7*s*. 3*d*., which, with the sum credited by the treasurer in his last account, completes the grant aforesaid, except 35*l*. 5*s*., which doth not appear to have been issued.

That of the 500,000*l*. granted by act of Assembly, in October, 1777, the treasurer hath issued 275,440*l*., and that he hath received upon loan the sum of 224,559*l*. 19*s*. 8*d*., which completes the said grant, within four pence.

That of the \$600,000, granted by the Assembly in May last, it doth not appear to your committee, that any part of it hath been issued.

And that he hath received of sheriffs and sundry other persons, on different accounts, the sum of 149,615*l.* 2*s.* 6 3-4*d.*, all which said several sums are credited in the treasurer's accounts.

It farther appears to your committee, that he hath paid on various accounts, since the 19th day of October, 1777, the sum of 805,973*l.* 10*s.* 4 1-4*d.*, so that the balance due to the public, at the time of rendering this account, was 116,824*l.*, 17*s.* 4 3-4*d.*, which sum it appears was in the treasury at that time, as your committee hath examined the cash account arising since, for payments made, and monies received; and hath also examined and counted the money in the treasury, and found the same to be right, except the sum of 9*l.* 6*s.* which appears to be forged; but whether the same shall be the loss of the Commonwealth or of the treasurer, is submitted to the General Assembly.

Your committee find, that the accounts are fairly and properly stated, and have been accurately kept, having discovered only two or three very trifling errors, the balance of which doth not exceed one penny.

For the more clear explanation thereof, your committee beg leave to refer to a state of the account following:

Dr.	<i>The Treasury in account with</i> GEORGE WEBB, <i>Treasurer.</i>		Cr.
To cash paid sundry persons from October the 20th, 1777, to the 3d of October, 1778, inclusive,	£ 805,973 10 4 1-4	By balance of last year's account, By cash received of the signers in part of the 300,000 <i>l.</i> granted by the Assembly, in May, 1777,	£ 23,070 8 3 1-4 169,561 10 0
Balance carried to new account,	116,824 17 4 3-4	By cash on loan, part of the grant aforesaid,	80,551 7 3
		By cash received of the signers in part of the 500,000 <i>l.</i> , granted by the Assembly, October, 1777,	275,440 0 0
		By cash received on loan, part of the said grant,	224,559 19 8
		By cash received of sheriffs, and sundry other persons.	149,615 2 6 3-4
	<hr/> £ 922,798 7 9		<hr/> £ 922,798 7 9 <hr/>

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and on the bills, "for farther suspending the payment of salaries heretofore given to the clergy of the Church of England;" "to revive, amend, and reduce into one, the several acts concerning highways, mill-dams, and bridges;" "to extend the boundary line between Virginia and North Carolina;" "to amend an act, entitled 'an act for regulating and disciplining the militia;'" "to enable the treasurer to borrow a farther sum of money;" "to amend an act, entitled 'an act for establishing a General Court, and other purposes,'" being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 11 o'clock.

#### SATURDAY, December 12, 1778.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act to repeal the act, entitled 'an act to oblige the owners of mills, on the river Rappidan, to make openings or slopes in their mill-dams, for the passage of fish.'"

They have also agreed to the bill, entitled "an act, to empower the freeholders of the several towns not incorporated, to supply the vacancies of the trustees and directors thereof."

They have also agreed to the resolutions of this House, respecting the late Receiver General, and the estate of Lord Dunmore, without any amendment. And then he withdrew.

The House, according to the order of the day, was called over, and the names of the members who failed to appear, were noted; and the names of those who made default, being again called over, some were excused on account of sickness, employments in the service of the public elsewhere, and other justifiable avocations.

*Ordered*, That the serjeant at arms attending this House, take into his custody the following members of the House, to wit: John Teacle, Thomas Jefferson, James Buford, Thomas Anderson, John Clayton, Francis Goode, William Roan, Thomas Napier, Isaac Zane, John Whiting, Nathaniel Terry, William Dandridge, J. S. Wills, Thomas Rowe, John Selden, Josias Clapham, Henry Delony, Philip Grymes, Beverley Daniel, Pierce Duval, Jesse Pigman, James Murdaugh, John Bowdoin, John Hull, David McClure, William Mayo, jun. Edmund Ruffin, William Robinson, Thomas Hewitt, Benjamin Putney, Gray Judkins and Joshua Wright.



The House being informed that Mr. William Roan, one of the members for the county of Essex; Mr. Pierce Duval, one of the members for the county of Monongalia; Mr. John Whiting, one of the members for the county of Gloucester; and Mr. John Teacle, one of the members for the county of Accomack, attended in custody of the serjeant at arms,

*Ordered*, That the said William Roan, Pierce Duval, John Whiting and John Teacle, be discharged out of custody, paying fees.

*Ordered*, That a message be sent to the Senate, informing them that the resolution of this House, by which Wednesday, the 30th of December, is directed to be observed as a day of thanksgiving, was by mistake omitted to be sent to them for their concurrence;

*Ordered*, That Mr. G. Carrington do carry the said message to the Senate, and also the said resolution, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to amend an act, entitled 'an act for raising a supply of money for public exigencies,'" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and being amended, were agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have receded from their amendment to the bill, entitled "an act to vest certain lands on the Ohio and Green rivers, in fee simple in Richard Henderson and Company and their heirs."

They have also agreed to the bill, entitled "an act for the better regulating and collecting certain officers fees, and other purposes," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Fleming:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for speedily recruiting the Virginia regiments on the continental establishment," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for altering the place for holding courts for the county of Princess Anne," with an amendment, to which they desire the concurrence of this House.

They have also agreed to several resolutions of this House, for paying certain sums of money, and making certain allowances to Daniel Morgan and Edward Snickers, John Rose, James Adams, Abraham Bogard, Thomas Jordan, jun. William Wroe, Thomas Davidson, James Thornton, Edward Priggett and others, and Ulysses Rogers, and for appointing a day of thanksgiving and praise, without any amendment. And then he withdrew.

*Ordered*, That Mr. Nicholas have leave to be absent from the service of this House, the remainder of the session.

The House proceeded to consider the amendments made by the Senate to the bill, entitled "an act for altering the place for holding courts for the county of Princess Anne;" and also, to the bill, entitled "an act for the better regulating and collecting certain officers fees, and other purposes."

And the said amendments being read, were, upon the question severally put thereupon, agreed to by the House. X

*Ordered*, That Mr. Kello do acquaint the Senate therewith.

Mr. G. Mason presented, according to order, a bill "for giving the members of the General Assembly an adequate allowance for their services;" and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for establishing a Board of Auditors for public accounts," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendments made by the Senate, to the bill, "for establishing a Board of Auditors for public accounts."

And the said amendments were read, and agreed to by the House. X

*Ordered*, That Mr. Page do acquaint the Senate therewith.

An engrossed bill, "for establishing a Court of Appeals;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for establishing a Court of Appeals."

*Ordered*, That Mr. Hite do carry the bill to the Senate, and desire their concurrence.

Mr. G. Mason reported, that the committee to whom the answer of the Pennsylvania Assembly to the last proposals made by the Assembly of this Commonwealth, respecting the disputed boundaries between the two States, was referred, had had the same under their consideration, and agreed upon a report and come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, That the southern boundary offered by the Pennsylvania Assembly, is inadmissible; and that no part of the offer heretofore made by the Assembly of this Commonwealth, is, or ought to be, binding upon Virginia, unless the whole had been, or shall be, accepted by the Assembly of Pennsylvania.



*Resolved*, That it is now too late in the present session, to enter into proper discussion of the observations made by the Assembly of Pennsylvania, or to give a full and determinate answer to their proposals; but as the confusion, from the doubtful jurisdiction in the county adjacent to the disputed territory, may produce the most dangerous consequences to the common cause of America;

*Resolved*, That the Virginia delegates in Congress, be empowered and instructed to propose to the Commonwealth of Pennsylvania, to appoint commissioners on their part, to meet commissioners to be appointed by the Assembly of this Commonwealth, at such convenient place as may be agreed on by the said commissioners of both States, to confer together and endeavor to fix on the true and proper boundaries between the said States; or, if that cannot be done, to agree upon some temporary boundary, in the mean time, and report their proceedings thereon to their respective Assemblies.

*Ordered*, That Mr. G. Mason do carry the said resolutions to the Senate, and desire their concurrence.

*Ordered*, That there be a call of the House on Monday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, on the bills, "for farther suspending the payment of the salaries to the clergy of the Church of England;" "to extend the boundary line between Virginia and North Carolina;" and "to enable the treasurer to borrow a farther sum of money;" being read,

*Ordered*, That the same be put off till Monday next.

*Ordered*, That the order of the day, for the House to receive the report from the committee of the whole House, on the bill, "for establishing several new ferries, discontinuing a former one, and for other purposes;" be put off till Monday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill, "to revive, amend and reduce into one, the several acts concerning highways, mill-dams and bridges;" and to amend an act, entitled "an act, for establishing a General Court, and other purposes;" being read,

*Ordered*, That the same be put off till Tuesday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for regulating and disciplining the militia;" being read,

*Ordered*, That the same be put off till the 10th of March next.

And then the House adjourned till Monday morning, 10 o'clock.

## MONDAY, December 14, 1778.

An engrossed bill, "to amend an act, entitled 'an act, for raising a supply of money for public exigencies,'" was read the third time, and the blanks filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, to amend an act, entitled 'an act, for raising a supply of money for public exigencies.'"

*Ordered*, That Mr. Page do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, to enable the officers of the Virginia line, and encourage the soldiers of the same line, to continue in the continental service."

*Ordered*, That Mr. Page do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to increase the salaries of certain officers of government;" was read the third time, and the blanks filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, to increase the salaries of certain officers of government."

*Ordered*, That Mr. Tyler do carry the bill to the Senate, and desire their concurrence.

A bill, "for giving the members of the General Assembly, an adequate allowance for their services," was read a second time, and ordered to be committed to a committee of the whole House to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the same under their consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

Whereas, it appears to this committee, to be extremely difficult, if not impracticable, from the dispersed situation of our inhabitants, to comply with the requisition of Congress, of the 15th of October last, for calling out the militia of this Commonwealth, to guard the prisoners of the convention of Saratoga, at the town of Charlottesville, in the county of Albemarle, and there is great danger of the prisoners escaping from thence, if guarded only by militia;

*Resolved, therefore, as the opinion of this committee*, That the Governor be requested to despatch an express immediately to the honorable the president of Congress, and the board of war, inclosing them a copy of the proceedings of this Assembly therein, and informing them of the difficulties attending the guarding of the said prisoners with draughts

from the militia, and the danger of an escape from such guard, and to request Congress will order a sufficient corps of continental troops for that purpose, and to inform them that in the mean time every step will be taken to secure the prisoners till the arrival of such troops, which is to be as soon as possible.

*Resolved*, That the Governor, with the advice of the Council, be empowered to call out any number of militia in this Commonwealth, not exceeding six hundred, to guard the said prisoners; and that the said guard be relieved from time to time, as he with the advice aforesaid shall see cause, by other draughts from the militia, until such continental troops shall arrive.

The first resolution being read a second time, was, upon the question put thereupon, disagreed to by the House.

*Ordered*, That the second resolution do lie on the table.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying a certain sum of money to Michael Murphey, and empowering the Governor with the advice of the Council of State, to obtain a loan of gold and silver, with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House being informed, that Mr. Edmund Ruffin, one of the members for the county of Prince George; Mr. John Selden, one of the members for the county of Lancaster; and Mr. Thomas Jefferson, one of the members for the county of Albemarle, attended in custody of the serjeant at arms;

*Ordered*, That the said Edmund Ruffin, John Selden, and Thomas Jefferson, be discharged out of custody, paying fees.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act for raising a supply of money for public exigencies.”

They have also agreed to the bill, entitled “an act, concerning emancipation,” with several amendments, to which they desire the concurrence of this House.

They have also agreed to the resolution of this House, for appointing William Fleming, Esq. of Powhatan, a delegate to Congress, without any amendment. And then he withdrew.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the bills “to expel from this Commonwealth, and prevent the return of persons in future, who have shewn themselves inimical to the liberties of America;” “for farther suspending the payment of the salaries to the clergy of the church of England;” “to extend the boundary line between Virginia and North Carolina;” “and to enable the treasurer to borrow a farther sum of money;” and also, for the House to receive the report from the committee of the whole House, on the bill “for establishing several new ferries, discontinuing a former one, and for other purposes,” being read.

*Ordered*, That the same be put off till to-morrow.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on state of the Commonwealth.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, December 15, 1778.

The House being informed, that Mr. Thomas Rowe attended in custody of the serjeant at arms, and it appearing that there was good cause to excuse his absence, when the House was called over on Saturday last;

*Ordered*, That the said Thomas Rowe, be discharged out of custody, without paying fees.

Mr. G. Carrington reported, from the committee to whom the bill was committed, that the committee had, according to order, had the same under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act, for establishing a Court of Appeals.” And then he withdrew.

The House proceeded to consider the report from, and resolutions of the committee of Public Claims, which on Friday last were ordered to lie on the table.

And the said report, and resolutions were read, and are as followeth:

The committee of Public Claims, have had under their consideration several petitions and claims, to them referred, and have come to the following report and resolutions thereupon:

1. *Resolved*, that it is the opinion of this committee, That the farther consideration of the several petitions of George Doggett and Edward Wilkinson, be deferred to the next session of Assembly.

2. *Resolved*, that it is the opinion of this committee, That so much of the petition of William Lyle, in behalf of sundry persons, as prays to be allowed for a quantity of flour furnished Capt. Gray's company of militia, ordered out to Fort Randolph; also, for horse hire, driving pack horses, diets, pasturage, and for two horses and a bell which

were lost in that service, is reasonable; and that the following allowances ought to be made the following persons for the same, to wit:

To Samuel Lyle, for 85 days hire of three horses, at 4s. per day,	-	-	£17	0	0	
To do. for pasturage for nine horses, 10 days and nights, at 9d. each pasturage,	£3	7	6			
10 diets for pack horse-men, at 2s. each,	-	-	1	0	0	
				4	7	6
To do. for pasturage for 12 horses, 2 days and nights 18s., 4 diets for pack horse-men 8s.,				1	6	0
To John M'Mullen, for driving pack horses 37 days, at 10s. per day,	-	-		18	10	0
To James Malone, (a soldier,) for driving pack horses 7 days, at 8s. 8d. per day, (he having been allowed soldier's pay,)	-	-		3	0	8
To John Davidson, for driving pack horses 24 days, at 10s. per day,	-	-		12	0	0
To John Lyle, for 30 days horse hire, at 4s. per day,	-	-		6	0	0
To James Boyle, for 42 days, do.	-	-		8	8	0
To John Evans, for 32 days, do.	-	-		6	8	0
To John Robertson, for 22 days, do.	-	-		4	8	0
To John Cummins, for 38 days, do.	-	-		7	12	0
To Henry Hysaw, for a horse lost, appraised to	-	-		35	0	0
To Robert M'Elheny, for 2262 lbs. flour, at 20s. per cwt.,	-	-		22	12	4 3-4
To Capt. David Gray, for 99 days horse hire, at 4s. per day,	-	-		19	16	0
To do. do. for a bell. lost, 20s.	-	-		1	0	0
To Alexander M'Lure, for 38 days, horse hire,	-	-		7	12	0
To Joseph Reid, for 44 days, do.	-	-		8	16	0
To Moses M'Lure, for 21 days, do.	-	-		4	4	0
To William Ramsey, for 21 days, do.	-	-		4	4	0
To Mary Mackey, for 42 days, do.	-	-		8	8	0
To Elizabeth Reid, for 12 days, do.	-	-	£2	8	0	
To a pack saddle, 15s., 1 black mare lost, appraised to 24l.,	-	-	24	15	0	
To 1 bell, lost, appraised to 15s.,	-	-	0	15	0	
				27	18	0

3. *Resolved, that it is the opinion of this committee,* That such other part of the said petition, as prays to be allowed for the damage the horses sustained, and for the loss of those which were lost in that service, be rejected.

The committee have, also, had under their consideration the petition of Doctor John de Sequara, to them referred; and it appears to your committee, from the testimony of James Galt, keeper of the public hospital, that the said Doctor John de Sequara, hath attended the said hospital as physician once a week, and sometimes oftener, for the first two years after the hospital was established, and since that time he has not made more than five visits, except at the meeting of the Court of Directors, but was always ready to give his advice when called on by the deponent, for that purpose.

Whereupon your committee came to the following resolution:

4. *Resolved, that it is the opinion of this committee,* That the petition of the said Doctor de Sequara, is reasonable; and that he ought to be allowed for his services the sum of 150l.

The committee have, also, had under their consideration the resolution upon the petition of Nathaniel Henderson, to them recommended, and it appears to your committee from the deposition of Capt. William Buckanan, that in the month of September last, Fort Boon was attacked by a party of 340 Indians, or thereabouts, at which time there were not more than 60 men in the fort including the soldiers of the garrison, and all the settlers; that arms and ammunition were furnished the negro men that were in the fort, and they stationed by the commanding officer in such a manner as to make the best defence in their power; that a negro man, the property of the petitioner, was by order of the commanding officer, posted on the outside of the fort, and in consequence thereof was killed by the Indians; that the said negro was very likely, about 24 years of age, and, as the deponent thinks, worth upwards of six hundred pounds.

It also appears to your committee, from the testimony of Col. Boon and Maj. Smith, that at the time Fort Boon was attacked by the Indians, a negro man, the property of the petitioner, who had lived in the fort upwards of three years, among others, was furnished with arms and ammunition, to assist in defending the said fort; that, by order of the commanding officer, the petitioner's negro together with a white man, were ordered to a post on the outside of the fort to prevent the Indians from setting fire to it, which they many times attempted to do: in which situation he was killed by the Indians, and that he was not enrolled as a soldier, nor has any pay been received for his services.

Whereupon your committee came to the following resolution:

5. *Resolved, that it is the opinion of this committee,* That the petition of the said Nathaniel Henderson, is reasonable; and that he ought to be allowed the sum of four hundred pounds for the said slave.

6. *Resolved, that it is the opinion of this committee,* That so much of the petition of Richard Taliaferro and others, as prays to be allowed the bounty fixed by the said act of Assembly, be rejected.

7. *Resolved, that it is the opinion of this committee,* That such other part of the said petition, as prays an allowance of pay and rations, is reasonable; and that the petitioners ought to be allowed the same, agreeable to the said



act of Assembly, from the date of their respective enlistments, until the date of the Governor's proclamation, forbidding the recruiting officers for that service to proceed any farther therein, to wit:

To Richard Taliaferro, captain, for 51 days pay, at 12 <i>l.</i> per month, and 3 rations per day, at 1 <i>s.</i> each ration,	£ 28 1 0
To Thomas Ewers, lieutenant, for 51 days, at 8 <i>l.</i> 2 <i>s.</i> per month, and 2 rations per day,	15 17 6
To John Crawford, serjeant, for 51 days, at 2 <i>s.</i> and 1 ration per day,	7 13 0
To Benjamin Higginbotham, ditto, the same,	7 13 0
To Richard Davis, serjeant, for 48 days, at 2 <i>s.</i> and 1 ration per day,	7 4 0
To Charles Tyler, James Stevens, Wm. Bowman and John Dickerson, privates, for 51 days, at 1 <i>s.</i> 4 <i>d.</i> and 1 ration per day, each 5 <i>l.</i> 19 <i>s.</i>	23 16 0
To John Brown, for 48 days, at ditto,	5 12 0
To James Masters, for 47 days, at ditto,	5 9 8
To William Brummet, for 44 days, at ditto,	5 2 8
To William Ingram, for the same,	5 2 8
To Edward Ware, for 38 days, at ditto,	4 8 8
To Richard Davis, for 36 days, at ditto,	4 4 0
To Thomas Bybee, for 32 days, at ditto,	3 14 8
To William Page, for 31 days, at ditto,	3 12 4
To Archibald Burden, for 22 days, at ditto,	2 11 4
To Stephen Ricketts, for 21 days, at ditto,	2 9 0
To John Johnson, for 19 days, at ditto,	2 4 4
To Daniel Tyler, Francis Steel and Edward Masters, for 10 days each, 1 <i>l.</i> 3 <i>s.</i> 4 <i>d.</i>	3 10 0
To Reuben Bozwell, John Clark, Tandy Holman and Wm. Allen, for 51 days each, 5 <i>l.</i> 19 <i>s.</i>	23 16 0
To Robert Henderson, for 48 days,	5 12 0
To Thomas Ogleby, for 36 days,	4 4 0
To Robert M'Carty, for 34 days,	3 19 4
To John Tyler, for 32 days,	3 14 8
To William Austin, for 28 days,	3 5 4
To William M'Knight, for 13 days,	1 10 4
To James M'Lane, for the same,	1 10 4
To James Horrell, Wm. Horrell, Benjamin Fortune and Johnston Smith, for 9 days each, 21 <i>s.</i>	4 4 0
To Brett Scruggs, for 8 days,	18 8

8. *Resolved, that it is the opinion of this committee,* That so much of the memorial of John Brett and others, as prays to be allowed the bounty fixed by the said act of Assembly, be rejected.

9. *Resolved, that it is the opinion of this committee,* That such other part of the said memorial as prays an allowance of pay and rations, is reasonable; and that the memorialists ought to be allowed the same, agreeable to the said act of Assembly, from the time of their enlistment, until the date of the Governor's proclamation, forbidding the recruiting officers for that service to proceed any farther therein, to wit:

To John Brett, captain, for 11 days pay and rations, amounting to	£ 6 1 0
To William Suttle, a private, for 11 days pay and rations,	1 5 8
To Lewis Murphey, William Florence, George Wilder, Charles Owens, George Baremore, James White, Daniel Cullens, William Hutchingson, Thomas Shaw, Samuel Hazleky, William Davis, Daniel Johnson, Wm. Ballenger, Thomas Burnett, Edmond Newman, Nathan Holtsclaw, John Hughes, John Side Bottom, Walter M'Gregor, Wm. Leg, Amos Shadborne, Wm. Feagan, John Lashbrooks, Beverly Horton, John Wiggonton, Abraham Wiggonton, John French, Thomas Purcel and Beverly Matthews, the same pay and rations, each 25 <i>s.</i> 8 <i>d.</i>	37 4 4

It appears to your committee, that Abraham Cole entered a wagon and team in the service of the State, on the 24th day of December, 1776, which were discharged the 5th day of June following, and was allowed by the auditors ten shillings per day for 131 days, amounting to the sum of 65*l.* 10*s.* for the hire thereof; that two horses and a mare, appraised to the sum of 85*l.* when taken into that service, were, on the third day of April, stolen or strayed away, and have not been recovered, nor hath any satisfaction been made the claimants for the same.

Whereupon, your committee came to the following resolution:

10. *Resolved, that it is the opinion of this committee,* That the claim of the said Abraham Cole is reasonable; and that the petitioner ought to be allowed 85*l.* for the said horses, being the sum to which they were appraised.

To Isaac Hite, for a horse, lost in the service of the country in 1777, appraised to	£ 30 0 0
To Joseph Pearson, for his negro man slave Aaron, who was condemned and executed for felony, and by the court of the county of Northumberland valued at	200 0 0
To Edward Voss, for his negro man slave March, alias Mark, who was condemned and executed for felony and burglary, and by the court of the county of Spotsylvania, valued at	100 0 0
To Thomas Goodwin, for his negro man slave Will, who was condemned and executed for felony, and by the court of the county of King William, valued at	90 0 0

To the estate of John Decamp, deceased, for Bazil, a negro man slave, who was condemned and executed for murder, and by the court of the county of Yohogania, valued at	£200	0	0
To Samuel Campbell, for a horse lost at Long Island, on the Cherokee expedition, appraised to	10	10	0
To James Harris, assignee of Andrew M'Ferrin, who was assignee of John Patterson, for a sorrel mare, valued at 11 <i>l</i> .; and a bell 3 <i>s</i> ., lost on the Cherokee expedition	11	3	0
To Henly Moore, for a horse lost in the Cherokee war, appraised to	18	0	0
To Meredy Reins, for a black mare, lost,	10	0	0
To James Newell, administrator of Samuel Newell, deceased, for riding express	13	0	0
To John Martin, for a dark bay horse appraised to 25 <i>l</i> .; and a bright bay ditto., to 18 <i>l</i> ., lost in the service of this State at Kentucky,	43	0	0
To Joseph Cartwright, for a mare lost in the said service, appraised to	50	0	0
To William Poage, for a black mare appraised to 12 <i>l</i> .; and a bay horse to 27 <i>l</i> .; lost in the said service,	39	0	0
To Levi Todd, for a black horse lost in the said service, appraised to	35	0	0
To James Bullock, for his negro man, Cæsar, who was condemned and executed, and by the court of the county of Bedford, valued at	144	0	0
To the estate of Lockey Collier, for the following slaves who were condemned and executed for murder, and by the court of the county of Elizabeth City, valued at the following sums, to wit: Jack at 400 <i>l</i> .; Davy at 500 <i>l</i> .; Cain at 300 <i>l</i> .; Mingo at 400 <i>l</i> .; and Rachael, 250 <i>l</i> .	1,850	0	0

11. *Resolved, that it is the opinion of this committee,* That the said claims are reasonable; and that the respective claimants ought to be allowed by the public for the same.

12. *Resolved, that it is the opinion of this committee,* That the petition of Leighton Wood, is reasonable; and that he ought to be allowed and paid the sum of 100*l*.

The 1st, 4th, 5th, 6th, 10th, 11th and 12th resolutions being read a second time, were, upon the question put thereupon, agreed to.

The 2d, 3d, 7th, 8th, and 9th resolutions being read a second time, and the question put that they be recommit-  
ted to the same committee,

It was resolved in the affirmative.

*Ordered,* That Mr. Lee do carry the 4th, 5th, 6th, and 10th resolutions to the Senate, and desire their concurrence.

The House being informed, that Mr. Gray Judkins, one of the members for the county of Sussex, attended in custody of the serjeant at arms,

*Ordered,* That the said Gray Judkins be discharged out of custody, paying fees.

The Speaker laid before the House, a letter from the honorable Edmund Pendleton, Esq. respecting Captain Hoomes.

And the said letter was read,

*Ordered,* That the said letter, together with the certificate of Col. Febiger, be referred to Messrs. G. Mason, Lee, Elliott, Parker and Page; that they do examine the case of Captain Hoomes, and report the same, with their opinion thereupon, to the House.

Mr. Page presented, according to order, a bill, "to empower the Governor and Council to superintend and regulate the public jail;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered,* That leave be given to bring in a bill, "appointing the place for holding the Court of Appeals," and that Mr. T. Hite do prepare and bring in the same.

The House proceeded to consider the amendments made by the Senate to the bill, entitled "an act for speedily recruiting the Virginia regiments on the continental establishment."

And the said amendments being read, were agreed to by the House, with several amendments.

*Ordered,* That Mr. Page do acquaint the Senate therewith.

An engrossed bill, "for dissolving several vestries, and for other purposes," was read the third time.

*Resolved,* That the bill do pass, and that the title be, "an act for dissolving several vestries, and for other purposes."

*Ordered,* That Mr. G. Carrington do carry the bill to the Senate, and desire their concurrence.

The House proceeded to consider the amendments made by the Senate, to the bill, entitled "an act concerning emancipation;" and the said amendments being read, were agreed to by the House, with several amendments.

*Ordered,* That Mr. Carter do acquaint the Senate therewith.

Mr. Carter reported, from the committee appointed to examine the memorial of the officers of the Navy, that the committee had, according to order, had the same under their consideration, and had agreed upon a report, and come to several resolutions thereupon, which he was ready to report, when the House should think proper to receive them.

*Ordered,* That the said report and resolutions do lie on the table.

Mr. Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order had under their consideration, several petitions to them referred, and had agreed upon a report, and come to several resolutions thereupon, which he was ready to report, when the House should think proper to receive them.

*Ordered,* That the said report and resolutions do lie on the table.

Mr. G. Mason presented, according to order, a bill, "to prohibit the distillation of spirits, from corn, wheat, rye, and other grain, for a limited time."

The House proceeded to consider the resolution, which on Tuesday last, was ordered to lie on the table, and the same was read and agreed to.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions, and that Messrs. G. Mason, Westwood and Jefferson, do prepare and bring in the same.

*Resolved*, That the treasurer be advised, that the certificates of money paid into the loan office, under authority of the act of General Assembly, passed in the year 1777, and entitled an act, "for sequestering British property, enabling those indebted to British subjects, to pay off such debts, and directing the proceedings in suits, where such subjects are parties," be in the following form, to wit: "I, A. B. treasurer of Virginia, hereby certify, that C. D. of the county of \_\_\_\_\_ hath paid into the loan office of the Commonwealth, \_\_\_\_\_ dollars, to be applied to his credit in account with E. F. a British subject, according to an act of General Assembly, passed in the year 1777, entitled an act 'for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits, where such subjects are parties,' given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_" and if any have been already issued in a form substantially different, that they be exchanged for others expressed in the form so advised, taking such care, by preserving in the certificates so to be given in exchange, the same numbers and dates expressed in those for which they shall be exchanged, and by such other cautions as he shall think necessary, to prevent confusion, or errors, in his accounts thereof, and that the certificates so taken in, be forthwith destroyed.

*Ordered*, That Mr. Jefferson do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Hite presented, according to order, a bill, "for appointing the place for holding the Court of Appeals," and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to extend the boundary line between Virginia and North Carolina, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lee reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

Mr. Curle reported, from the committee to whom the bill, "for regulating and impressing wagons," was committed, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

*Ordered*, That leave be given to bring in a bill "for the more general diffusion of knowledge," and that Messrs. Parker, and G. Mason, do prepare and bring in the same.

The House proceeded, to consider the report of the amendments made by the committee of the whole House, to the bill "for establishing several new ferries, discontinuing a former one, and for other purposes." And the said amendments were read and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

*Ordered*, That Mr. Campbell, have leave to be absent from the service of this House, for the remainder of the session.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills, "to revive, amend and reduce into one, the several acts concerning highways, mill-dams, and bridges;" and "to expel from this Commonwealth, and prevent the return in future of persons who have shewn themselves inimical to the liberties of America," being read,

*Ordered*, That the same be put off till the 10th of March next.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and on the bills, "to amend an act, entitled 'an act for establishing a General Court, and other purposes;'" "for farther suspending the payment of the salaries heretofore given to the clergy of the church of England;" "to enable the treasurer to borrow a farther sum of money;" "and for giving an adequate allowance to the members of the General Assembly for their services," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

### WEDNESDAY, December 16, 1778.

Mr. Kello reported, from the committee appointed to examine the enrolled bills, that the committee had accordingly examined several others, and find them truly enrolled.

*Ordered*, That Mr. Kello do carry the said bills to the Senate, for their inspection.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, to increase the salaries of certain officers of government," with several amendments, to which they desire the concurrence of this House. And then he withdrew.



A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act, to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service,” with several amendments, to which they desire the concurrence of this House. And then he withdrew.

Whereas, by a resolution of the General Assembly, the public records of this State were ordered to Richmond, and the Secretary directed to procure at the public expense, a proper person to take charge thereof; and it appearing that Miles Selden, jun. has been employed for that purpose;

*Resolved*, That the said Miles Selden, jun. be allowed the sum of two hundred and fifty pounds, for his trouble and care of the said records, and for the rents of his houses in which they are deposited.

*Ordered*, That Mr. Southall do carry the said resolution to the Senate, and desire their concurrence.

An engrossed bill, “for extending the boundary line between Virginia and North Carolina;” was read the third time, and the blanks filled up:

*Resolved*, That the bill do pass, and that the title be, “an act, for extending the boundary line, between Virginia and North Carolina.”

*Ordered*, That Mr. Bledsoe do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, “to ascertain the mode of impressing wagons, carts and horses.”

*Ordered*, That Mr. Curle do carry the bill to the Senate, and desire their concurrence.

The House proceeded to consider the amendments made by the Senate, to the bill, entitled “an act, to increase the salaries of certain officers of government;” and also, to the bill, entitled “an act, to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service.”

And the said amendments being read, and the question severally put thereupon, some were disagreed to, and others agreed to.

*Ordered*, That Mr. Tyler do acquaint the Senate therewith.

The House proceeded to consider the amendments made by the Senate, to the resolutions of this House, for obtaining a loan of gold and silver; and for paying a certain sum of money to Michael Murphy;

And the said amendments being read were agreed to.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. G. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their farther consideration the representation of the vestry of the parish of Littleton, in the county of Cumberland, to them recommitted, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the representation of the vestry of the parish of Littleton, relative to a sum of money in the hands of the church wardens of the said parish, arising from the great price that the tobacco, which was levied before May, 1776, in the said parish sold for, be rejected; as the act of Assembly, entitled “an act, for exempting dissenters from contributing to the support and maintenance of the church by law established, and its ministers, and for other purposes therein mentioned;” has fully directed the application thereof.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, “to enable the treasurer to borrow a farther sum of money;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read a third time.

The Speaker laid before the House a letter from the Governor, enclosing one from the President of Congress, and two others from the delegates of this Commonwealth in Congress, together with several resolutions of that body, and several letters from a committee of Congress.

And the said letters and resolutions were read, and ordered to be committed to Messrs. G. Mason, Jefferson, T. Mason, Page, Parker, N. Burwell, Fleming, and T. Hite, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The Speaker also laid before the House, another letter from the Governor, enclosing one from the honorable Nathaniel Harrison, Esq. containing a resignation of his office as a member of the Council of State.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate do insist on several of their amendments, to the bill, entitled “an act, for speedily recruiting the Virginia regiments on the continental establishment;” and have receded from others which were disagreed to by this House, and agreed to several amendments, made by this House, to their amendments, with several amendments.

They have also receded from their amendments, which were disagreed to by this House, to the bill, entitled, “an act, to increase the salaries of certain officers of government;” and also, to the bill, entitled “an act, to enable the officers of the Virginia line, and encourage the soldiers of the same line, to continue in the continental service.” And then he withdrew.

An engrossed bill, “for establishing several new ferries, discontinuing a former one, and for other purposes,” was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for establishing several new ferries, discontinuing a former one, and for other purposes."

*Ordered*, That Mr. Kello do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Coles :

MR. SPEAKER,—The Senate do adhere to their amendments, which were disagreed to by your House, to the bill, entitled "an act, concerning emancipation." And then he withdrew.

Mr. George Mason reported, from the committee to whom the case of Capt. Benjamin Hoomes was referred, that the committee had, according to order, had the same under their consideration, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table. where the same were again twice read and agreed to, as followeth :

It appears to your committee, that the said Capt. Hoomes, in the year 1775, entered as an ensign in the 2d Virginia regiment, then commanded by Col. Woodford, and now by Col. Febiger ; that he was advanced afterwards to a lieutenant, and about a year ago to a captain in the said regiment, and has always supported the character of an active, diligent and gallant officer ; that the said Capt. Hoomes was in the action at the Great Bridge near Norfolk. and in the battles of Brandywine, Germantown and Monmouth, in which last, on the 28th of June last, as the American troops early in the action were retreating, and pressed hard by the enemy, he was wounded in the ankle by a musket ball which broke the bone, and soon after by another musket ball in the head, which brought him to the ground and occasioned his being left on the field and falling into the hands of the enemy ; after which, notwithstanding his remonstrances against such cruel treatment to a prisoner, he was again dangerously wounded in the forehead with a sword by one of the enemy's horsemen, and soon after stripped of his coat, waistcoat and shirt, by some of their grenadiers, and run into the body with a bayonet by one of them, and then left upon the field as mortally wounded, where he remained until he was taken off by the American troops, who had in the mean time, rallied, charged and defeated the enemy ; that his wounds were then dressed ; and though at first thought mortal, he in some days began to recover, and was carried to Trenton, where he lay about five weeks, and was from thence carried to Philadelphia, where he lay until about the middle of November, before he was sufficiently recovered to return to Virginia, at which two places (Philadelphia and Trenton) he incurred very great expense, particularly for board and lodging : five pounds Pennsylvania currency per week.

It also appears, that although the said Capt. Hoomes seems to be well recovered from his other wounds, he will be forever disabled from doing duty as an officer on foot, by the wound in his ankle, but may be very capable of doing duty as an officer on horseback, and that he is very desirous of returning to, and continuing in the service.

*Resolved, therefore*, That the said Capt. Hoomes be allowed the sum of 216*l.*, to be paid him by the treasurer of this Commonwealth.

And whereas, this committee cannot have certain information whether the said Capt. Hoomes has been discharged from actual service, as one of the supernumerary officers upon the late regulation and reduction of some of the Virginia regiments on the continental establishment, or whether he still continues as one of the captains retained in service ;

*Resolved*, That if he hath been discharged upon the said late regulations, as one of the supernumerary officers upon half pay, he ought notwithstanding to be continued in full pay, and that the difference ought to be made good by this Commonwealth, in case he shall be refused full pay by the United States.

*Resolved, also*, That the said Capt. Hoomes, be recommended to his excellency General Washington ; and that the Governor be desired to transmit him these resolutions, and request that he will be pleased to promote the said Capt. Hoomes to a majority, whenever a proper vacancy shall happen, notwithstanding the necessity of his present absence from duty.

*Ordered*, That Mr. Mason do carry the said resolutions to the Senate, and desire their concurrence.

The House proceeded to consider the amendments made and adhered to by the Senate, to the bill entitled "an act concerning emancipation."

And the said amendments being read, the House insisted on their disagreement.

A bill, "appointing the place for holding the Court of Appeals," was read a second time, and ordered to be engrossed and read the third time.

A bill, "to empower the Governor and Council to superintend and regulate the public jail," was read a second time, and ordered to be engrossed, and read the third time.

A bill, "to prohibit the distillation of spirits from corn, wheat, rye and other grain, for a limited time," was read a second time, and ordered to be committed to a committee of the whole House to-morrow.

A message from the Senate by Mr. Lee :

MR. SPEAKER,—The Senate have inspected the enrolled bill, entitled "an act to amend an act, entitled 'an act for raising a supply of money for public exigencies,' and find it to be truly enrolled, and their Speaker has signed it.

They have also agreed to the resolutions of this House, for varying the form of certain Loan Office certificates, and paying several sums of money to Nathaniel Henderson and Miles Selden, jun., without any amendment. And then he withdrew.

A message from the Senate by Mr. Adams :

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, respecting the boundary line between Virginia and Pennsylvania, without any amendment. And then he withdrew.



The Speaker signed the enrolled bill, entitled "an act to amend an act, entitled 'an act for raising a supply of money for public exigencies.'"

*Ordered*, That the public printer do forthwith print two hundred and fifty copies of the said act.

Mr. Parker presented, according to order, a bill "for the more general diffusion of knowledge;" and the same was received and read the first time.

*Ordered*, That the public printer do forthwith print and forward four copies of the said act to each county within this Commonwealth.

A message from the Senate by Mr. Fleming:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for extending the boundary line between Virginia and North Carolina." And then he withdrew.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for the naturalization of foreigners," being read,

*Ordered*, That the same be put off till the tenth day of March next.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and on the bills, "to amend an act, entitled 'an act for establishing a General Court, and for other purposes,'" "for farther suspending the payment of the salaries heretofore given to the clergy of the Church of England;" and "for giving the members of the General Assembly an adequate allowance for their services," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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#### THURSDAY, December 17, 1778.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for farther suspending the payment of the salaries heretofore given to the clergy of the Church of England;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the same under their consideration, and had gone through the same, and made two amendments thereto.

*Ordered*, That the bill be engrossed and read the third time.

Mr. Kello reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined several others, and find them to be truly enrolled.

*Ordered*, That Mr. Kello carry the said bills to the Senate for their inspection.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act to ascertain the mode of impressing wagons, carts and horses," with several amendments; to which they desire the concurrence of this House.

Also, to the bill, entitled "an act for dissolving several vestries, and for other purposes," with several amendments, to which they desire the concurrence of this House.

Also, to the bill, entitled "an act for establishing several new ferries, discontinuing a former one, and for other purposes," with an amendment, to which amendment they desire the concurrence of this House.

The Senate have also inspected several other enrolled bills, and find them to be truly enrolled, and their Speaker had signed them. And then he withdrew.

*Resolved*, That the property of British subjects, in the hands of the respective commissioners appointed by the Governor and Council, is subject to the demands of their respective creditors; and that the said commissioners are, and ought to be, at liberty to apply the same in obedience to the process of any court of justice.

*Ordered*, That Mr. T. Mason do carry the resolution to the Senate, and desire their concurrence.

Mr. G. Mason reported, from the committee to whom several letters and resolutions of Congress, were yesterday referred, that the committee had according to order, had the same under their consideration, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read.

*Ordered*, That the said resolutions, be committed to a committee of the whole House immediately.

The House accordingly, immediately resolved itself into a committee of the whole House, on the said resolutions; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the same under their consideration, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as follows:

*Resolved*, That it is the opinion of this committee, That all persons exporting grain or other victual, contrary to an act, passed in this present session of Assembly, entitled "an act to empower the Governor and Council, to lay an embargo for a limited time," ought to be forever thereafter rendered incapable of carrying on any trade or commerce within this Commonwealth.

*Resolved*, That the master of every vessel building within this Commonwealth, or coming into the same, shall give bond, with sufficient security to the naval officer of the district, that he will not during the stay of the vessel, load



or take on board any articles, contrary to the said act, other than shall be necessary for the sustenance of the crew of such vessel, for her voyage or cruise.

*Resolved, that it is the opinion of this committee,* That those who purchase grain or other victual, other than for the consumption of themselves, their families, or those in their employ, or for manufacture, ought to be declared by law, to be engrossers, save only that such declaration should not extend to any public agent or contractor, purchasing in pursuance of the duties of his office.

*Resolved, that it is the opinion of this committee,* That persons, not being public agents or contractors, and taking upon themselves that character, thereby to take advantage to themselves of those exemptions and privileges, which the laws give to public agents and contractors, ought to be made subject to exemplary punishment.

*Ordered,* That a bill or bills, be brought in pursuant to the said resolutions, and that Messrs. G. Mason, Jefferson, T. Mason, Page, Parker, Nathaniel Burwell, Fleming and Hite, do prepare and bring in the same.

An engrossed bill, "to empower the treasurer to borrow a farther sum of money," was read the third time, and the blanks filled up.

*Resolved,* That the bill do pass, and that the title be "an act to empower the treasurer to borrow a farther sum of money."

*Ordered,* That Mr. Page do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for paying several sums of money to Dr. John de Sequeyra, Capt. Hoomes, Abraham Cole, Leighton Wood, jun.; and a schedule for paying certain sums of money to several persons, for horses lost in the public service, and slaves executed, without any amendment.

They have also agreed to the resolution for subjecting the property of British subjects, to the payment of their debts, without any amendment. And then he withdrew.

An engrossed bill, "to empower the Governor and Council, to regulate and superintend the public jail," was read the third time, and the blanks filled up.

*Resolved,* That the bill do pass, and that the title be "an act to empower the Governor and Council to regulate and superintend the public jail."

*Ordered,* That Mr. Kello do carry the bill to the Senate and desire their concurrence.

An engrossed bill, "appointing the place for holding the Court of Appeals," was read the third time, and the blanks filled up.

*Resolved,* That the bill do pass, and that the title be, "an act appointing the place for holding the Court of Appeals."

*Ordered,* That Mr. T. Hite do carry the bill to the Senate, and desire their concurrence.

The House proceeded to consider the amendments made by the Senate, to the bill, entitled "an act for establishing several new ferries, discontinuing a former one, and for other purposes."

And the said amendments being read, were disagreed to by the House.

*Ordered,* That Mr. Kello do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of whole House, on the bill, "for giving the members of the General Assembly, an adequate allowance for their services," and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again to-morrow.

*Resolved,* That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have receded from their amendments to the bill, entitled "an act for establishing several new ferries, discontinuing a former one, and for other purposes." And then he withdrew.

*Resolved,* That this House will, on Saturday next, proceed by joint ballot with the Senate to elect a member of the Council of State, in the room of Nathaniel Harrison, Esq., who hath resigned; and of two commissioners, for extending the boundary line between Virginia and North Carolina.

*Ordered,* That Mr. Jefferson do acquaint the Senate therewith.

The House proceeded to consider the amendments made by the Senate, to the bill, entitled "an act for speedily recruiting the Virginia regiments on the continental establishment," to which the House disagreed, and on which the Senate insist, together with the amendments of the Senate to the amendments of the House to their amendment.

And the same being read, some were insisted on, others adhered to or receded from, or agreed to with amendments.

*Ordered,* That Mr. Page do acquaint the Senate therewith.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and on the bills, "to prohibit the distillation of spirits from corn, wheat, rye and other grain, for a limited time;" and to amend "an act, entitled 'an act, establishing a General Court, and for other purposes,'" being read;

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

FRIDAY, December 18, 1778.

An engrossed bill, "for farther suspending the payment of the salaries heretofore given to the clergy of the Church of England;" was read the third time;

*Resolved*, That the bill do pass, and that the title be, "an act for farther suspending the payment of the salaries heretofore given to the clergy of the Church of England."

*Ordered*, That Mr. Parker do carry the bill to the Senate, and desire their concurrence.

The House proceeded to consider the amendments made by the Senate, to the bill, "for dissolving several vestries, and for other purposes;" and the third and fourth of the said amendments being read, were, on the question severally put thereupon, agreed to by the House.

The first and second of the said amendments were also read, and on the question severally put thereupon, disagreed to by the House.

*Ordered*, That Mr. G. Carrington do acquaint the Senate therewith.

The Speaker signed several enrolled bills.

Mr. Carter, from the committee appointed to examine the state of the public salt works, reported, that the committee had accordingly inquired into the same. And it appears to your committee, from the information of Mr. Francis Willis, director of the public salt works, that those at York are going to destruction, there being neither hands hired or pans provided; that those in Northumberland are well laid off, but so deep, that when a considerable quantity of rain falls, it is very difficult to let it out; that six negroes have been employed there, and three pans fixed, which are as many as can be supplied with wood, and that 100 bushels of salt have been made at those works; that the works in Elizabeth City are not yet completed; that it would take thirty hands near two months to finish them, and no pans are yet provided; that the situation is good, though the distance to bring the wood is very considerable, and that over a long marsh, where it would cost at least 250*l*. to make a proper road; that the works in the Isle of Wight are badly constructed; an overlooker and twelve negroes are employed there; that wood is brought to them at the distance of six miles, by water, and that the shores are so flat that they can neither load or unload except at flood-tide; and that they have between three and four hundred bushels of salt; that the works in Nansemond and Accomack were never finished, and are now gone to ruin.

It farther appears to your committee, from the information of the said Francis Willis, that there are nine pans fixed up at the Gloucester salt works, one of which contains eighteen hundred gallons; that twelve negroes are now employed; that there are three vats constructed for making salt by exhalation, but the season being very wet, a proper experiment could not be made, and that 800 bushels of salt have been made there.

*Ordered*, That the said report do lie on the table.

Mr. G. Mason presented, according to order, a bill, "for the more effectual execution of an act, entitled "an act, to empower the Governor and Council to lay an embargo for a limited time;"

And the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill, "providing a further supply for the public exigencies;" and that Mr. Parker do prepare and bring in the same.

*Resolved*, That the manager of the public salt works, be advised to discontinue the carrying the same on, and that he take necessary measures to have them taken care of until farther order shall be taken therein by the Assembly.

*Ordered*, That Mr. Carter do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the board of Auditors, do forthwith demand from the clerks of those counties, wherein any inspections of tobacco were established, by three acts of Assembly, passed in October, 1776, and in May and October, 1777, the several Inspectors' bonds given in consequence thereof, and after receiving the same, they are hereby empowered and required immediately to move for judgments in any court of record within this Commonwealth, against all such Inspectors and their securities, who have failed to render accounts; and make payment in the manner and form prescribed by the aforesaid acts, giving every inspector and security so moved against, ten days previous notice of such motion.

*Ordered*, That Mr. Fleming do carry the said resolution to the Senate, and desire their concurrence.

Mr. Parker presented, according to order, a bill, "providing a farther supply for the public exigencies;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Jefferson presented, according to order, a bill, to amend "the act, to prevent forestalling, engrossing, regrating and public vendues;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "for the more effectual execution of an act, entitled 'an act, to empower the Governor and Council to lay an embargo for a limited time,'" was read the second time, and ordered to be committed to a committee of the whole House immediately.

The House accordingly, immediately resolved itself into a committee of the whole House, on the said bill; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Fleming.



**MR. SPEAKER,**—The Senate have agreed to the bill, entitled “an act, appointing the place for holding the Court of Appeals;” and also, to the bill, entitled “an act, to enable the treasurer to borrow a farther sum of money.” And then he withdrew.

The House, according to the order of the day, again resolved itself into a committee of the whole House, on the bill, “for giving the members of the General Assembly an adequate allowance for their services;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read and agreed to.

*Ordered,* That the bill, with the amendments, be engrossed.

*Ordered,* That the public printer, do forthwith print one hundred and seventy-five copies of the said bill, for the members of the Senate, and of this House.

*Ordered,* That the delegates for the several counties consult with their constituents, during the recess of Assembly, on the justice and expediency of passing the bill, entitled “a bill, for giving the members of the General Assembly, an adequate allowance for their services;” and that they procure from them instructions, whether or not the said bill shall be passed, and lay the same before the House of Delegates at their next session.

A bill, “to amend the act, ‘to prevent forestalling, regrating, engrossing, and public vendues,” was read a second time, and ordered to be committed to a committee of the whole House immediately.

The House accordingly, immediately resolved itself into a committee of the whole House, on the said bill, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read and agreed to.

*Ordered,* That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Lee :

**MR. SPEAKER,**—The Senate have agreed to the resolution of this House, empowering the auditors of public accounts to require of the several county courts the Inspectors bonds, given under three former laws, and to move for judgments thereupon.

The Senate have also agreed to the bill, entitled “an act, for farther suspending the payment of the salaries, heretofore given to the clergy of the Church of England;” and to the bill, entitled “an act, to empower the Governor and Council to regulate and superintend the public jail.”

The Senate do recede from their 1st and 2d amendments to the bill, “for dissolving the several vestries, and for other purposes.”

They do adhere to their 2d and 4th amendments, to the bill, “for speedily recruiting the Virginia regiments on the continental establishment;”

And they do recede from their disagreement to the amendments proposed by this House, to their other amendments, to the said bill. And then he withdrew.

The House proceeded to reconsider the 2d and 4th amendments, adhered to by the Senate, to the bill, “for speedily recruiting the Virginia regiments on the continental establishment;” and the same being again read, and the question put thereupon,

*Resolved,* That this House doth recede from their disagreement to the said amendments.

*Ordered,* That Mr. Page do acquaint the Senate therewith.

*Ordered,* That the public printer, do forthwith print 300 copies of the bill, entitled “an act, for speedily recruiting the Virginia regiments on the continental establishment.”

A bill “providing a farther supply for the public exigencies,” was read the second time, and ordered to be engrossed, and read the third time,

An engrossed bill, “for the more effectual execution of an act, entitled ‘an act, to empower the Governor and Council to lay an embargo for a limited time,’ was read the third time.

*Resolved,* That the bill do pass.

*Resolved,* That the title of the bill be, “an act for the more effectual execution of an act, entitled ‘an act to empower the Governor and Council to lay an embargo for a limited time.’”

*Ordered,* That Mr. G. Mason do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, “to prohibit the distillation of spirits from corn, wheat, rye and other grain, for a limited time;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had according to order, had the said bills under their consideration, and had gone through the same, and made sundry amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and agreed to by the House.

*Ordered,* That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Jones :

**MR. SPEAKER,**—The Senate do agree to the resolution of this House, “for discontinuing the public sale



works;" and do also agree to the bill, "for the more effectual execution of an act, entitled 'an act, to empower the Governor and Council to lay an embargo for a limited time.'" And then he withdrew.

An engrossed bill, to amend the act, "to prevent forestalling, regrating, engrossing, and public vendues," was read the third time, and the blank filled up.

*Resolved*, That the bill do pass, and that the title be "an act to amend the act, 'to prevent forestalling, regrating, engrossing, and public vendues.'"

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill "providing a farther supply for the public exigencies," was read the third time, and the blank filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, providing a supply in aid of the loan office."

*Ordered*, That Mr. Parker do carry the bills to the Senate, and desire their concurrence.

The House proceeded, to nominate persons proper to be ballotted for as a Privy Counsellor, in the room of Nathaniel Harrison, Esq. who hath resigned, and of two commissioners for running the boundary line between Virginia and North Carolina.

*Ordered*, That Mr. Page do carry the list of the persons nominated to the Senate.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to amend an act, entitled 'an act for establishing a General Court, and for other purposes,'" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

An engrossed bill, "to prevent the distillation of spirits from corn, wheat, rye, and other grain, for a limited time," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to prevent the distillation of spirits from corn, wheat, rye, and other grain, for a limited time."

*Ordered*, That Mr. G. Mason do carry the bill to the Senate, and desire their concurrence.

*Resolved*, That the Governor be desired to inform Congress of the measures taken by this Commonwealth, for furnishing a supply of money to the continental treasury; that he also state to them, the present low state of our treasury, occasioned in a great degree, by the advancing of money for continental purposes, the many demands of the same nature shortly expected to be made on us, and which we shall endeavor to answer in the first instance; and the hope we entertain, that if Congress can withhold their draught for a short time, it will be in our power to answer it; to inform him, that he will notify Congress as soon as the state of the treasury will admit of a demand, and to entreat that in the mean time it may not be made.

*Ordered*, That Mr. Jefferson do carry the resolution to the Senate, and desire their concurrence.

The House resumed the consideration of the resolution, which on the third day of December last, was ordered to lie on the table.

Whereupon, the House came to the following resolutions:

*Resolved, nemine contra dicente*, That our delegates in Congress be instructed to propose to Congress, that they recommend to each of the States named as parties in the articles of confederation, heretofore laid before and ratified by this Assembly, that they authorise their delegates in Congress to ratify the said articles, together with the delegates of so many other of the said States, as shall be willing, so that the same shall be forever binding on the States so ratifying, notwithstanding that a part of those named shall decline to ratify the same; allowing, nevertheless, to the said States so declining, either a given or indefinite time, as to Congress shall seem best, for acceding to the said confederation, and making themselves thereby members of the Union.

*Resolved, nemine contra dicente*, That our said delegates now in office, or hereafter to be appointed, be authorised and required, and they are hereby authorised and required to ratify the said articles of confederation on the part of this Commonwealth, with so many of the other States, named in them as parties, as shall on their part ratify the same.

*Resolved, nemine contra dicente*, That it be an instruction to the Virginia delegates, to inform Congress of the resolutions of this General Assembly, respecting purchases of lands from any Indian nation.

And whereas, this Assembly hath come to believe, that sundry citizens of some of the United States, were, and are, connected and concerned with some of the King of Great Britain's late governors in America, as well as with sundry noblemen and others, subjects of the said King, in the purchase of a very large tract of land from the Indians, on the northwest side of the Ohio river, within the territory of Virginia;

*Resolved, also*, That the said delegates be instructed to use their endeavors in Congress, to cause an inquiry to be made, concerning the said purchase, and whether any, and what citizens of any of the United States, were, or are, concerned therein.

The more effectually to enable Congress to comply with the promise of a bounty in lands to the officers and soldiers of the army, on continental establishment:

*Resolved*, That this Commonwealth will, in conjunction with such other of the United States, as have unappropriated back lands, furnish out of its territory, between the rivers of Ohio and Mississippi, in such proportion as shall hereafter be adjusted and settled by Congress, its proper quota or proportion of such lands, without any purchase money, to the troops on continental establishment of such of the United States, as already have acceded, or shall within such time,

given or indefinite, as to Congress shall seem best, accede to the confederation of the United States, and who have not within their own respective territory, unappropriated lands for that purpose; and that a copy of this resolve, be forthwith transmitted to the Virginia delegates, to be by them communicated to Congress.

*Ordered*, That Mr. do carry the resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have examined several enrolled bills, and find them to be truly enrolled, and their Speaker had signed them.

They have also agreed to the bill, entitled “an act, to prevent forestalling, regrating, engrossing, and public vendues.”

Also, to the bill, entitled “an act, providing a supply in aid of the Loan Office.”

Also, to the bill, entitled “an act, to prevent the distillation of spirits from corn, wheat, rye, and other grain, for a limited time.”

The Senate know of no person to add to be ballotted for as a Privy Counsellor; and have added Thomas Lewis, Esq. to the list of persons to be ballotted for as Commissioners for running the line between Virginia and North Carolina. And then he withdrew.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

SATURDAY, December 19, 1778.

The House being informed, that Mr. William Robinson, one of the members for the county of Princes Anne, attended in custody of the serjeant at arms,

*Ordered*, That the said William Robinson be discharged out of custody, paying fees.

An engrossed bill, “to amend an act, entitled ‘an act, for establishing a General Court,’ and for other purposes,” was read the third time.

*Resolved*, That the bill do pass, and that the title be, “an act to amend an act, for establishing a General Court, and for other purposes.”

*Ordered*, That Mr. Tazewell do carry the bill to the Senate, and desire their concurrence.

The House proceeded to consider the report of the committee appointed to examine the treasurer’s accounts, which was made on the 11th of this instant, December.

*Resolved*, That the accounts do pass.

*Ordered*, That Mr. Fleming do carry the said report and accounts to the Senate, and desire their concurrence.

It appearing to the House, that George Webb, Esq. treasurer of this Commonwealth, hath been very careful and diligent in the execution of his office,

*Resolved*, That the loss of nine pounds six shillings, counterfeit paper bills of credit, mentioned in the report of the committee appointed to examine the treasurer’s accounts, received by the said treasurer on public account, be sustained by the public; and that he be allowed the same in his account.

*Ordered*, That Mr. Fleming do carry the said resolution to the Senate, and desire their concurrence.

*Resolved*, That the clerk to the Council of State, ought to be allowed the sum of twenty shillings per day, in consideration of his services; and the clerk of Foreign Correspondence, so much in addition to the salary annexed by law to his office, as will make it equal to twenty shillings per day; these allowances shall commence on the day of the date hereof, and continue from thence to the end of the next session of Assembly.

*Ordered*, That the treasurer do pay the said allowances out of any public monies in his hands.

*Resolved*, That the clerk to the Navy Board, be allowed henceforth till the next session of Assembly, for his services, the sum of twenty shillings per day; to be paid by the treasurer out of any public money in his hands.

*Ordered*, That Mr. Jefferson do carry the said resolutions to the Senate, and desire their concurrence.

The House upon due consideration of the 11th and 12th articles of the treaty of commerce with France, are of opinion, that they are not consistent with the principles of equality and reciprocity, so wisely proposed as the basis of that treaty, and so well calculated to give that permanence thereto, which every friend to the alliance wishes to take place.

*Resolved, therefore*, That the delegates to the General Congress from this Commonwealth, be directed to propose to Congress that the minister of the United States at the court of France be instructed to represent the same to his Most Christian Majesty, and to use his utmost efforts that the said 11th and 12th articles may be rescinded.

*Ordered*, That Mr. Mason do carry the said resolution to the Senate, and desire their concurrence.

Mr. Lyne, from the committee to whom the memorial of the general and field officers was referred, reported, that the committee had, according to order, had the same under their consideration, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again read, and are as followeth, viz:

*Resolved, that it is the opinion of this committee,* That a certain tract of country to be bounded by the Green river, and a southeast course from the head thereof to the Cumberland mountains, with the said mountains to the Carolina line, with the Carolina line to the Cherokee or Tennessee river, with the said river to the Ohio river, and with the Ohio to the said Green river, ought to be reserved for supplying the officers and soldiers in the Virginia line with the respective proportions of land which have been or may be assigned to them by the General Assembly, saving and reserving the land granted to Richard Henderson and Company, and their legal rights to such persons as have heretofore actually located lands, and settled thereon within the bounds aforesaid.

Resolved, that it is the opinion of this committee, That the said officers and soldiers, or any of them, may be at liberty to locate their proportions of land on any other vacant and ungranted lands within this Commonwealth.

Resolved, that it is the opinion of this committee, That the allowance of two hundred acres of land over and above the continental bounty, be given to all the soldiers in the Virginia line, who have heretofore enlisted or shall hereafter enlist, for the term of three years, or during the war.

*Resolved, that it is the opinion of this committee, That the several commissioned and non-commissioned officers in the Virginia line, ought to have their allowance of lands increased in the same proportion as that of the soldiers are by the preceding resolution. And whereas no provision hath been hitherto made for the General officers:*

*Resolved*, That such General officers, who were inhabitants of this State, be allowed the following proportions of land, upon the same terms, and under the same restrictions, with the lauds engaged to the officers and soldiers raised in this Commonwealth: that is to say, to the Commander in Chief,                  acres; to every Major General,                  acres; and to every Brigadier General,                  acres.

The first resolution being read a second time, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. G. Mason do carry the same to the Senate, and desire their concurrence.

The 2d, 3d, 4th and 5th of the said resolutions, being read a second time, were ordered to lie on the table.

A message from the Senate by Mr. Rutherford:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act to amend an act, entitled ‘an act for establishing a General Court, and other purposes.’”

They have also passed the treasurer's accounts, and agreed to the resolution for indemnifying the treasurer for the sum of nine pounds, received by him in counterfeit money.

Also, to the resolution for augmenting the salary of the clerk of the Navy Board.

And, to the resolutions respecting the articles of confederation. And then he withdrew.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER.—The Senate cannot enter into the discussion of the resolution of this House, respecting the treaty of commerce with France, without a copy of the articles of that treaty. And then he withdrew.

*Ordered*, That Mr. Page do carry the said treaty to the Senate.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for augmenting the salaries of the clerks of the Council and of foreign correspondence.

Also, to the resolution for authorizing the Board of Auditors to demand of the clerks of the several county courts, the Inspectors' bonds, given according to former laws, and to move for judgments thereupon. And then he withdrew.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for giving a bounty to the Illinois volunteers.

Also, to the resolution respecting the Navy and Trade. And to the resolution respecting the British troops taken at Saratoga, with amendments to the two last resolutions, to which they desire the concurrence of this House.

*Ordered*, That leave be given to bring in a bill, "to explain the act 'to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service;" and that Mr. G. Mason do prepare and bring in the same.

The House proceeded to consider the amendments proposed by the Senate, to the resolution respecting the British troops taken at Saratoga;

And the said amendment being read, was, on the question put thereupon, agreed to by the House.

*Ordered, That Mr. Page do acquaint the Senate therewith.*

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for making certain allowances to the officers of the General Assembly. And then he withdrew.

Mr. G. Mason presented, according to order, a bill "to explain the act, 'to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "to explain the act, 'to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service,'" was read the second time, and ordered to be engrossed and read the third time.



An engrossed bill, "to explain the act, 'to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to explain the act, 'to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service.'"

*Ordered*, That Mr. G. Mason do carry the bill to the Senate, and desire their concurrence.

*Resolved*, That Mr. Freeman Eppes, serjeant at arms to this House, be allowed fifteen pounds eleven shillings and three pence, being the expense of sending a messenger to Isaac Zane, Esq. a member of this House.

*Resolved*, That Mr. Bartlett Williams, serjeant at arms to the Senate, be allowed one hundred and thirty-eight pounds and fifteen shillings, being the expense of sending messengers to several members of the Senate.

*Ordered*, That Mr. Lee do carry the resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Jones :

MR. SPEAKER,—The Senate have agreed to two resolutions of this House, for paying certain sums of money to Mr. Freeman Eppes, and to Mr. Bartlett Williams, with an amendment to the first resolution, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendment proposed by the Senate, to the resolution for paying a sum of money to Mr. Freeman Eppes,

And the same being read, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate have agreed to the resolution of this House, respecting the treaty of commerce with France. And then he withdrew.

The Speaker signed several enrolled bills.

A message from the Senate by Mr. Coles :

MR. SPEAKER,—The Senate have inspected several other enrolled bills and find them to be truly enrolled ; and their Speaker hath signed them. And then he withdrew.

The Speaker then signed the enrolled bills last delivered.

Whereas, it will be exceedingly burthensome and inconvenient to the inhabitants of this Commonwealth to keep so large a body of militia on constant duty, as will be necessary to guard the British prisoners which now are, or hereafter may be stationed in this Commonwealth :

*Resolved*, That the Governor, with the advice of the Council, shall be, and he is hereby empowered, to raise as soon as possible, by voluntary enlistments, a regiment of soldiers, to consist of six hundred men, rank and file, with proper officers to command them, for the particular purpose of guarding the British prisoners aforesaid ; and that he is empowered to offer a bounty not exceeding thirty dollars to each man to be so enlisted ; and this House will make good the expense of raising, maintaining, clothing and paying the said regiment ; and that until such regiment be raised, the Governor is hereby empowered, with the advice of the Council, to call out detachments of militia for the purpose of guarding the said prisoners.

*Ordered*, That Mr. T. Mason do carry the resolution to the Senate and desire their concurrence.

*Resolved*, That the Governor, with the advice of the Council, be empowered to instruct the Board of Commissioners, from time to time, to have such material alterations made in, and arrangements of the Navy, as may be judged expedient and necessary ; and also, to direct the erecting such fortifications and batteries on the Bay of Chesapeake, as may, in co-operation with the Navy, more effectually protect the trade than hath been done hitherto.

*Ordered*, That Mr. G. Mason do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for reserving certain lands on the waters of the Ohio and Green rivers, for the use of the officers and soldiers, with an amendment ; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded, by ballot, to the appointment of a member of the Privy Council or Council of State ; and the members having prepared tickets for the person to be appointed, and put the same into the ballot glasses, Messrs. Page, Lee, Kello and Lyne, were nominated a committee to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and report to the House on whom the majority of votes should fall.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had met a committee from the Senate in the conference chamber, and had jointly with them examined the ballot glasses, and found a majority of votes in favor of Benjamin Waller, Esq.

*Resolved*, That Benjamin Waller, Esq. be appointed a member of the Privy Council or Council of State.

*Ordered*, That Mr. Page do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Coles :

MR. SPEAKER,—The Senate have inspected the enrolled bill, "to amend the act, entitled 'an act for establishing a General Court, and for other purposes,'" and find it to be fairly enrolled ; and their Speaker hath signed the same. And then he withdrew.

The Speaker signed the enrolled bill last delivered.

The House proceeded to consider the amendments proposed by the Senate, to the resolution for reserving certain lands on the waters of the Ohio and Green rivers, for the use of the officers and soldiers; and the said amendment was read and agreed to by the House.

*Ordered*, That Mr. G. Mason do acquaint the Senate therewith.

The House proceeded, by ballot, to the appointment of Commissioners for running the boundary line between Virginia and North Carolina; and the members having prepared tickets for the persons to be appointed, and put the same into the ballot glasses, Messrs. Jefferson, Page and Fleming, were nominated a committee to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and report to the House on whom the majority of votes should fall.

*Ordered*, That Mr. Jefferson do acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had met a committee from the Senate, in the conference chamber, and had jointly with them examined the ballot glasses, and found a majority of votes in favor of the Rev. James Madison and Thomas Walker, Esq.

*Resolved*, That the Rev. James Madison and Thomas Walker, Esq. be appointed Commissioners for running the boundary line between Virginia and North Carolina.

*Ordered*, That Mr. Jefferson do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the Governor, with the advice of the Council, be empowered to offer a bounty of fifty dollars to the volunteers who shall enlist in the service, for the protection and defence of the county of Illinois.

*Ordered*, That Mr. Hite do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for appointing Benjamin Waller, Esq. a member of the Privy Council or Council of State; also to the resolution for appointing the Rev. James Madison and Thomas Walker, Esq. Commissioners for running the boundary line between Virginia and North Carolina. And then he withdrew.

*Resolved*, That the following allowances be made to the officers of the General Assembly:

To the Reverend James Madison, chaplain,	-	-	£ 125
To Mr. Edmund Randolph, clerk to the House of Delegates,	-	-	650
To Mr. John Beckley, clerk to the Senate,	-	-	325
To Mr. Edmund Pendleton, jun., clerk to the committees of Privileges and Elections, and Propositions and Grievances,	-	-	250
To Mr. Hinde Russell, clerk to the committee of Public Claims,	-	-	310
To Mr. William Drew, clerk to the committees of Courts of Justice, and Trade,	-	-	165
To Mr. William Drew, for extra services,	-	-	50
To Mr. William Russell, clerk to the committee for Religion,	-	-	125
To Mr. Freeman Eppes, serjeant at arms to the House of Delegates,	-	-	190
To Mr. Bartlett Williams, serjeant at arms to the Senate,	-	-	190
To Robert Hyland, William Drinkard, John Hicks and John Creagh, door-keepers to the House of Delegates, each	-	-	104
To Thomas Pall and William Hicks, door-keepers to the Senate, each	-	-	104
To Robert Hyland, for cleaning the Capitol,	-	-	25

*Ordered*, That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

*Ordered*, That the committee appointed to prepare and bring in a bill, “for continuing and amending the act, for appointing Naval Officers, and regulating their fees,” be discharged from proceeding thereon.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have receded from their amendment to the resolution of this House, respecting the Navy and Trade. And then he withdrew.

*Resolved*, That when this House shall adjourn, it shall be to the thirty-first day of March next.

*Ordered*, That Mr. Jefferson do acquaint the Senate therewith.

A message from the Senate by Mr. Fleming:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act, to explain ‘an act, to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service.’” And then he withdrew.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have received your message respecting the adjournment of the House of Delegates to the 31st day of March, and have directed me to inform you that they propose to adjourn themselves to the 1st day of May next. And then he withdrew.

*Resolved*, That Messrs. Dixon and Hunter, printers to the Senate, be allowed the sum of three hundred and twenty-two pounds, for their services.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Kello reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined another enrolled bill, and find it to be truly enrolled.

*Ordered*, That Mr. Kello do carry the said bill to the Senate for their inspection.

A message from the Senate by Mr. Coles :

MR. SPEAKER,—The Senate have inspected another enrolled bill, and find it to be truly enrolled.

They have agreed to the resolution of this House, for paying Messrs. Dixon and Hunter, printers to the Senate, the sum of 322*l.* for their services. And then he withdrew.

The Speaker signed another enrolled bill.

And then the House adjourned till the 31st day of March next.





# JOURNAL

OF THE

## HOUSE OF DELEGATES

OF THE

COMMONWEALTH OF VIRGINIA;

BEGUN AND HELD AT THE CAPITOL,

**IN THE CITY OF WILLIAMSBURG,**

*ON MONDAY, THE THIRD DAY OF MAY, IN THE YEAR OF OUR LORD ONE  
THOUSAND SEVEN HUNDRED AND SEVENTY-NINE.*

---

RICHMOND:

PRINTED BY THOMAS W. WHITE, OPPOSITE THE BELL-TAVERN.

.....  
1827.

# THE HISTORY OF THE

REPUBLIC OF THE UNITED STATES OF AMERICA  
FROM 1776 TO 1876

BY

JOHN P. FULTON

NEW YORK

1876



# JOURNAL

OF THE

## HOUSE OF DELEGATES.

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### GENERAL ASSEMBLY,

*BEGUN* and holden at the Capitol, in the City of Williamsburg, on Monday, the third day of May, in the year of our Lord one thousand seven hundred and seventy-nine.

On which day, being the day appointed by law for the meeting of the General Assembly, the oaths required to be taken by the delegates, were administered by the Privy Council to such of the members as appeared; after which they repaired to their seats in the House of Delegates.

But a majority of the whole number not being present,  
The House adjourned till to-morrow, 12 o'clock.

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TUESDAY, May 4, 1779.

The House met according to their adjournment; and several other members, having taken the oath required by law, took their seats in the House.

But the number not being sufficient to proceed to business,  
The House adjourned till to-morrow, 12 o'clock.

---

WEDNESDAY, May 5, 1779.

The House met according to their adjournment; and several other members, having taken the oath required by law, took their seats in the House.

But the number not being sufficient to proceed to business,  
The House adjourned till Friday morning, 11 o'clock.

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FRIDAY, May 7, 1779.

Several other members, having taken the oath required by law, took their seats in the House.

*Ordered*, That Mr. Edmund Randolph be appointed clerk of this House.

William Roscow Wilson Curle, Esq., a delegate for the Borough of Norfolk, reminded the House of the necessity of proceeding to the choice of a Speaker, and recommended Benjamin Harrison, Esq., a member for the county of Charles City, as a person, who, on a former occasion, had given undeniable proofs of his abilities in the discharge of that office; he was seconded by Richard Lee, Esq., a delegate for the county of Westmoreland.

Whereupon, Mr. Harrison being chosen Speaker of this House without opposition, he was conducted to the chair; from whence he made his acknowledgments to the House for the honor which they had been again pleased to confer on him, and requested their attention to the preservation of good order, and a punctual discharge of their duty.

*Ordered*, That the Rev. James Madison, be appointed chaplain to this House, and that he attend to read prayers at 9 o'clock every morning.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith:

*Ordered*, That Mr. Freeman Eppes be appointed serjeant at arms to this House.

*Ordered*, That Robert Hyland, William Hicks, John Creagh and William Drinkard, be appointed door-keepers to this House; and that they give their attendance accordingly.

The Speaker laid before the House two letters, from General Nelson, and Thomas Adams, Esq., resigning their appointments to represent this Commonwealth in Congress, on account of bad health;

And the said letters being read, were ordered to lie on the table.

It appearing to the House, that General Nelson, who was returned at the last election for the county of York, as a delegate for the same, was incapable of being elected a member of this House, being a delegate to represent this Commonwealth in Congress;

*Ordered*, That the Speaker be desired to issue a new writ, for the election of a delegate to serve in this General Assembly for the county of York, in the room of General Nelson.

The Speaker laid before the House, a letter from his excellency General Washington, assuring the General Assembly, that he was sensibly affected by the pleasing mark of public esteem which had been lately manifested by their present of four geldings, and by the flattering consideration, which was expressed as the motive of it; and requesting him to offer his warmest acknowledgments to the House;

And the said letter was read.

And then the House adjourned till to-morrow morning, 10 o'clock.

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#### SATURDAY, May 8, 1779.

Two other members, having taken the oath required by law, took their seats in the House.

*Ordered*, That a committee for Religion be appointed.

And a committee was appointed, of Messrs. Carrington, Burwell, Lawson, William Watkins, Gee, Peebles, Chilton, Pride, Wills, Thomas Johnson, G. Anderson, Pendleton, R. Anderson, Moseby, Stuart, Gray, Brickell, Zane and Norvell; and they are to meet and adjourn from day to day, and to take under their consideration all matters and things relating to religion and morality, and all such as shall be from time to time referred to them; and report their proceedings, with their opinions thereupon, to the House; and the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee of Privileges and Elections be appointed.

And a committee was appointed, of Messrs. Benjamin Harrison, Jefferson, Tazewell, Riddick, Tyler, Thomas Johnson, R. W. Carter, Peyton, Pendleton, Richard-Lee, Carrington, Winslow, Roe, Norvell, Cogbill, Washington, G. Anderson, R. Anderson, Gray, Cocke and Curle; and they are to meet and adjourn from day to day, and to examine in the first place all returns of writs for electing delegates to serve in this present General Assembly, and compare the same with the form prescribed by law, and to take into their consideration all such matters as shall or may come in question, touching returns, elections, and privileges; and to report their proceedings, with their opinions thereupon, from time to time, to the House; and the said committee are to have power to send for persons, papers, and records, for their information.

*Resolved*, That in all cases of controverted elections, to be heard at the bar of this House, or before the committee of Privileges and Elections, the petitioners do, by themselves or by their agents, within a convenient time to be appointed either by the House, or the committee of Privileges and Elections, the matter to be heard shall be before the House or the said committee, deliver to the sitting members or their agents, lists of the persons intended by the petitioners to be objected to, who voted for the sitting members; giving in the said lists the several heads of objection, and distinguishing the same against the names of the voters excepted to; and that the sitting members do, by themselves or their agents, within the same time, deliver the like lists on their parts to the petitioners or their agents.

*Ordered*, That a committee of Propositions and Grievances be appointed.

And a committee was appointed, of Messrs. Jefferson, Curle, Goode, M. Watkins, Burwell, Lyne, Edmondson, Burr Harrison, Benjamin Harrison, Moore, Cunningham, Tazewell, Strother, Hull, Brown, Pickett, Riddick, Mayo, Tyler, William Watkins, Lawson, Wilkenson, Innes, Baker, Thomas Johnson, Coleman, James Johnson, John Taylor, Skinker, Thompson, Brent, Read, Flournoy, Cabell, Zane, John Powell, L. Powell, Cocke, Gray, Field, Weatherall, Richeson, Sampson, Tabb, R. W. Carter, Ball, James Taylor, McKee and Fox; and they are to meet and adjourn from day to day, and to take into their consideration all propositions and grievances that shall come legally certified to this Assembly, and to report their proceedings, with their opinions thereupon, to the House; and all such propositions and grievances are to be delivered to the clerk of the House, and by him to the said committee of course; and the said committee are to have power to send for persons, papers and records, for their information.

*Ordered*, That a committee for Courts of Justice be appointed.

And a committee was appointed, of Messrs. Lawson, Tyler, Lyne, Pride, Cogbill, Carrington, John Taylor, Skinker, Baker, Innes, Brickell and Curle; and they are to meet and adjourn from day to day, and to take into their consideration all matters relating to Courts of Justice, and such other matters as shall from time to time be referred to them, and report their proceedings, with their opinion thereupon, to the House; and the said committee are to inspect the Journals of the last session, and draw up a state of the matters then depending and undetermined, and the progress that was made therein, and report the same to the House; and also to examine what laws have expired since the last session, and inspect such temporary laws as will expire with the end of this session, or are near expiring, and report the same to the House, with their opinions which of them are fit to be revived and continued; and the said committee are to have power to send for persons, papers and records, for their information.

*Ordered*, That a committee of Trade be appointed.

And a committee was appointed, of Messrs. Richard Lee, Curle, Jones, Pickett, Burr Harrison, Digges, Edmondson, Harwood, Moore, Stratton, Baker, Hopkins, James Taylor, M'Kee, W. Lee, Ball, Hull and Zane; and they are to meet and adjourn from day to day, and to take into their consideration all things relating to the trade of this Commonwealth, and all matters that shall be from time to time to them referred, and to report their proceedings, with their opinions thereupon, to the House; and the said committee are to have power to send for persons, papers and records for their information.

*Resolved*, That eleven of the committee of Propositions and Grievances, seven of the committee of Privileges and Elections, and five of any other committee, be a sufficient number to make a committee.

*Ordered*, That Mr. William Russell be appointed clerk to the committee for Religion; Mr. Edmund Pendleton, jun. clerk to the committees of Privileges and Elections and Propositions and Grievances; and Mr. William Drew, clerk to the committees for Courts of Justice and of Trade.

A petition of Henry Singleton, was presented to the House and read; setting forth, that by some mistake, the valuation of his property, which was destroyed in the borough of Norfolk, though given in to the valuers appointed by the commissioners, has been mislaid, and cannot now be found on any list; that he has since had a second valuation, by two of the same men, who were before nominated for the like purpose, and praying that he may be allowed the amount thereof.

Also, a petition of George Wray, setting forth, that some time in the year 1775, he willingly delivered up his houses in the town of Hampton to certain officers and soldiers who had been sent thither for the protection of the country; that the dwelling house having been much injured, the kitchen entirely pulled down and burnt, and the garden laid waste, he has sustained damage to the amount of 300*l*.; and praying that he may be allowed that sum.

*Ordered*, That the said petitions be referred to Messrs. Curle, Richard Lee, Innes, Brown, Ball, Baker, Tabb, and James Taylor; and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Dixon and Thomas Nicholson, was presented to the House, and read; setting forth, that by the death of Mr. Alexander Purdie, the office of public printer is vacant, and praying to be appointed to succeed him.

Also, a petition of John Clarkson and Augustine Davis; setting forth, that they have for some time past conducted the business of the late Mr. Purdie's printing office, and praying that they may be elected to the vacancy occasioned by his death, in the office of public printer.

*Ordered*, That the said petitions do lie on the table.

*Ordered*, That Mr. Lyne have leave to be absent from the service of this House till Wednesday next, and Mr. Read till Monday fortnight.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, May 10, 1779.

Several other members, having taken the oath required by law, took their seats in the House.

*Resolved*, That the Governor be desired forthwith to despatch an express to Gen. Scott, informing him that there is great reason to apprehend an invasion from the enemy on this Commonwealth, and requesting him immediately to march such continental levies, as are now under his command, to the city of Williamsburg, and to call in such continental officers as may be necessary for the command of the said levies, and are now within this Commonwealth.

*Ordered*, That Mr. Innes do carry the said resolution to the Senate, and desire their concurrence.

And then the House adjourned till to-morrow morning, 10 o'clock,



TUESDAY, May 11, 1779.

Several other members, having taken the oath required by law, took their seats in the House.

*Ordered*, That leave be given to bring in a bill, "for establishing a Board of War;" and that Messrs. Jefferson, Richard Lee, Lawson, Innes, Peachey, Baker, and John Taylor, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "for establishing a Board of Trade;" and that Messrs. Jefferson, Baker, Pickett, Tyler, Tazewell, Zane, Roane, Braxton, Munford, and John Harvie, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property in this Commonwealth;" and that Messrs. Baker, Benjamin Harrison, Jefferson, Zane, Innes, Braxton, John Harvie, Carrington, Talbot, Skinner, John A. Washington, Ball, John Powell, and Strother, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "for establishing a Land office;" and that Messrs. John Taylor, Strother, John Harvie, Moore, Jefferson, Munford, Baker, Tyler, Burr Harrison, John Washington, Carrington, Smith, Peyton and Pickett, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "for empowering the Governor, with the advice of the Council of State, to raise a body of horse upon any emergency;" and that Messrs. Innes, Lawson, Peachey, John A. Washington, and Mayo, do prepare and bring in the same.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for desiring the Governor to request General Scott immediately to march the new continental levies to Williamsburg, and call in such continental officers within this Commonwealth as may be necessary for commanding them. And then he withdrew.

A petition of William Hunter, was presented to the House, and read; setting forth, that he begs leave to offer his services to the General Assembly as Mr. Purdie's successor in the office of public printer; that he has no types at present, but shortly expects every material necessary for his business, and will take care in the meantime that the Journals, laws, &c. shall be faithfully printed, and praying to be appointed printer to the Commonwealth.

*Ordered*, That the said petition do lie on the table.

A petition of John Anderson and Mede Anderson, was presented to the House and read; setting forth, that they have found a vein of lead ore on the land belonging to this State; that upon condition of having 800 acres thereof granted to them, they will undertake to give the refusal of all lead which they shall make, to this Commonwealth; that they are willing that the same part of all veins, mines and quarries, which has been hitherto reserved by government, be still reserved, but hope that no tax will be imposed on the aforesaid land, and praying for encouragement.

Also, a petition of John Fox; setting forth, that travellers who pass Cappahosick ferry are obliged to land on the Gloucester side on the land of one Stubbs, which carries them several miles out of their way; that a ferry from his house in the said county, across York river, would remedy this inconvenience, and praying that such a one may be established.

Also a petition of Josias Clapham; setting forth, that being commanding officer of the county of Loudoun, he despatched, upon the recommendation of a court martial, one William Stanhope to the Governor, for the bounty to be paid the new recruits under a late act of Assembly; that the said Stanhope was robbed at the Bowling Green, and the petitioner, together with several other persons, advanced the said bounties, and praying to have the same refunded to him.

Also a petition of William Stanhope; setting forth, that he was robbed at the Bowling Green of the money which he had received of the Governor, by order of Col. Clapham, and praying, as the robbery was not owing to any negligence on his part, that he may not be compelled to reimburse the said money.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinions thereupon, to the House.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled 'an act for reviving several public warehouses for the inspection of tobacco';" and that Messrs. Baker, William Watkins, Mayo, Thomas Johnson, Norvell, Field, Wilkinson, Carrington and Roe, do prepare and bring in the same.

A memorial of St. George Tucker was presented to the House, and read; setting forth, that he is a native of the Island of Bermudas, the inhabitants of which, from the commencement of the contest between Great Britain and America, have professed and manifested an attachment to the cause of liberty; that this has drawn down the resentment of Great Britain upon them, and they are too numerous to be supported by the internal produce of their country; that they are now suffering under the complicated misery of tyranny and famine, and praying that an exportation of provision may be allowed from Virginia to that island.

*Ordered*, That the said memorial be referred to Messrs. Innes, Richard Lee, Benjamin Harrison, John Harvie, Braxton, Pickett, Roane, Strother, Edmondson and Ball; that they do examine the matter thereof, and report the same, with their opinions thereupon, to the House.

And then the House adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY, May 12, 1779.

Two other members, having taken the oath required by law, took their seats in the House.

Two petitions from sundry inhabitants of the county of Culpeper, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that their county is so extensive that they cannot attend at the courthouse on the different occasions which call them thither, without great inconvenience; that if two new counties were taken from the same, a sufficient number of tithables may be assigned to each, and praying that the same may be established, according to certain boundaries in the petition expressed.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Jefferson presented, according to order, a bill, "establishing a Board of War;" and the said bill was received and read the first time, and ordered to be read a second time.

A petition of Charles Binns, was presented to the House and read; setting forth, that one hundred and sixty pounds of tobacco, have been levied upon him in the last book of proportions, at three pence per pound, upon the supposition that so much was overpaid to him as clerk of Loudoun county in the year 1777; that it will appear from the account hereto annexed, that the tobacco has been wrongfully levied, and praying that the mistake may be rectified.

*Ordered*, That the said petition be referred to Messrs. Peyton, Richard Lee, Carrington, and William Watkins; that they do examine the matter thereof, and report the same, with their opinions thereupon, to the House.

A petition of sundry inhabitants of the county of Louisa, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that one Thomas Mitchell, who formerly resided in the said county, has always professed and shewn a friendly disposition to the cause of America; that he is now within the British dominions, and wishes to return to this country, and praying that he may be permitted to do so.

Also a petition of Mildred Mitchell, wife of the said Thomas Mitchell, to the same purpose.

*Ordered*, That the said petitions be referred to the committee of Privileges and Elections; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Jefferson presented, according to order, a bill "establishing a Board of Trade;" and the said bill was received and read the first time, and ordered to be read a second time.

And then the House adjourned till to-morrow morning, 10 o'clock.

THURSDAY, May 13, 1779.

Another member, having taken the oath required by law, took his seat in the House.

The Speaker laid before the House, two letters from the Governor, enclosing several others from the President of Congress, and sundry resolutions of that body, together with other papers, and stating several matters for the consideration of the House.

And the said letters, papers, and resolutions, being read, were ordered to lie on the table.

A bill, "establishing a Board of War," was read a second time, and ordered to be committed to a committee of the whole House immediately.

The House accordingly resolved itself into a committee of the whole House, on the said bill; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the same under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House.

*Ordered*, That the said bill, with the amendment, be engrossed and read a third time.

A bill, "establishing a Board of Trade," was read a second time, and ordered to be committed to a committee of the whole House to-morrow.

*Ordered*. That leave be given, to bring in a bill, "for the better regulation and discipline of the militia," and that Messrs. Munford, Innes, Jefferson, Baker, Braxton, Peachey, William Watkins, J. Harvie, Strother, Smith and Stuart, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "to establish cross Posts;" and that Messrs. Jefferson, Baker, Carrington, R. W. Carter, John Taylor, J. Harvie, and Burwell, do prepare and bring in the same.

Two petitions of sundry inhabitants of the south side of Roanoke river, in the counties of Mecklenburg and Halifax, whose names are thereunto subscribed, were presented to the House and read; setting forth, that the ferry from the lands of William Royster to those of William Harwood, across the said river, was formerly very convenient to the petitioners, that it is now almost wholly discontinued, owing to the erection of Sir Peyton Skipwith's ferry, which it is apprehended the owner has for some time also wished to discontinue; that a ferry established from the lands of James Wilkins, over Roanoke river, to the lands of Robert Munford, would remove the inconveniences to which they are now subject for want of the two first mentioned ferries; and praying that such a one may be erected.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Jefferson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, the petitions of Josias Clapham and John and Mede Anderson, to them referred, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended, were agreed to as followeth:

It appears to your committee, that his excellency the Governor, by letter dated the 12th of January last, directed to the county lieutenant of Loudoun, among other things, desired the county lieutenant to draw upon him for cash, to be sent by some responsible person to pay the bounty, and subsisting the men who should enlist in the said county, under an act, entitled "an act for speedily recruiting the Virginia regiments on the continental establishment," and by the same person, to send bond and security to account for the money.

It also appears to your committee, that in consequence of the said letter, the said Josias Clapham, then commanding officer of the militia, of the said county, (the county lieutenant being absent) summoned the officers and magistrates to meet as directed by the said act; at which meeting it was among other things ordered, that the commanding officer of the militia, then present, be requested to draw on the Governor and Council, for 9,000*l.*, being the sum necessary for the bounties and subsistence of the men to be raised in the said county; that in pursuance of the said order, the said Clapham, with the approbation of most of the officers present at such meeting, engaged one William Stanhope, for the sum of 40*l.*, to wait upon the Governor for the money, by whom the said Clapham sent a bond with security to account for the money.

It also appears to your committee, that a considerable sum of money was accordingly paid to the said William Stanhope for the above purpose, which never came to the hands of the said Josias Clapham.

It also appears to your committee, that the said Clapham, in order that the recruiting service might not be impeded for want of the bounty money, advanced a considerable sum of his own money.

Whereupon, your committee came to the following resolutions:

*Resolved, that it is the opinion of this committee,* That the petition of the said Josias Clapham is reasonable; that he has a legal demand on the treasury, to be reimbursed the monies advanced by him for the public, and that the auditors ought to give their warrant for so much as he shall prove, he so advanced.

*Resolved, that it is the opinion of this committee,* That the said Josias Clapham, ought to be allowed and paid by the public, his reasonable expenses incurred by attending the Assembly on the above business.

*Resolved, that it is the opinion of this committee,* That the petition of the said John Anderson and Mede Anderson, be rejected.

*Ordered,* That Mr. Jefferson do carry the first and second resolutions to the Senate, and desire their concurrence.

A petition of sundry inhabitants of the county of Orange, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they contributed a considerable sum over and above the bounty allowed by law, for the purpose of raising their quota of recruits required from their county by a late act of Assembly; that many men in the said county, whose property far exceeds theirs, and who are themselves exempt from personal service, refused to advance any thing; that it is highly reasonable, that all taxable property within their county should bear an equal part of the contribution, and praying that a levy may be laid to accomplish that end.

A motion was made, and the question being put, that the said petition be referred to a committee,

It passed in the negative.

*Resolved,* That the said petition be rejected.

And then the House adjourned till to-morrow morning, 10 o'clock.

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## FRIDAY, May 14, 1779.

Several other members, having taken the oath required by law, took their seats in the House.

Mr. Innes presented, according to order, a bill "for empowering the Governor, with the advice of the Council of State, to raise a body of horse on any emergency;" and the same was received and read the first time, and ordered to be read a second time.

An engrossed bill, "establishing a Board of War," was read the third time.

*Resolved,* That the bill do pass, and that the title be, "an act establishing a Board of War."

*Ordered,* That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "establishing a Board of Trade;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered,* That the said bill, with the amendments, be engrossed and read a third time.

*Resolved,* That the Governor and Council be desired forthwith, to inform this House of such measures as have been taken for the defence of the Commonwealth against the present invading enemy, and are proper to be communicated.



*Ordered*, That Mr. Baker do carry the said resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee:

Mr. SPEAKER,—The Senate have agreed to the resolutions of this House, for allowing certain sums of money to Josias Clapham.

They have also agreed, to the resolution for desiring the Governor and Council to inform the House of such measures as have been taken for repelling the present invasion, and are proper to be communicated, with an amendment; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendment made by the Senate, to the resolution for desiring the Governor and Council, to inform this House of such measures, as have been taken for the defence of the Commonwealth, and are proper to be communicated.

And the same being read, was agreed to by the House.

*Ordered*, That Mr. Baker do acquaint the Senate therewith.

*Resolved*, That this House will, to day, resolve itself into a committee of the whole House, on the state of the Commonwealth.

*Ordered*, That the letters and papers, which were yesterday transmitted to this House by the Governor, be referred to the committee of the whole House, on the state of the Commonwealth.

The House accordingly, resolved itself into a committee of the whole House, on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had according to order, had under their consideration the state of the Commonwealth, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to as followeth:

*Resolved*, That volunteers be enlisted to serve within this Commonwealth for the defence thereof, during the present invasion; that the general officers be appointed by joint vote of both Houses of Assembly, and the field officers, captains, and subalterns, by the Governor, with advice of Council.

*Resolved*, That the pay, rations, and forage of the officers and soldiers be the same as in the continental army, and that a table be found at the public expense for the officer commanding in chief; that a complete suit of clothes, to wit: a coat, waistcoat, a pair of overalls and shoes, two shirts and a hat, shall be given to each soldier and non-commissioned officer, on the 1st day of November next, or so soon after as they can be procured; that blankets and tents be provided for them, together with necessaries for travelling and camp uses, arms, ammunition, and accoutrements; and that they shall also be furnished during their service with the same articles from the public stores, and on the same terms, as the continental or state troops.

*Resolved*, That for the defence of the Commonwealth in the mean time, the Governor and Council be empowered, when they shall have embodied the militia and formed them into regiments, to appoint field officers to command the same.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions, and that Messrs. Braxton, Jefferson, Baker, J. Harvie, Lyne, John Taylor, Tazewell and Stuart, do prepare and bring in the same.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the state of the Commonwealth.

*Ordered*, That there be a call of the House to-morrow.

*Ordered*, That Mr. Cocke have leave to be absent from the service of this House, till Monday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, May 15, 1779.

The Speaker laid before the House, a letter, from Richard Henry Lee, Esq., resigning his appointment as a delegate to represent this Commonwealth in Congress.

And the said letter being read, was ordered to lie on the table.

*Ordered*, That leave be given to bring in a bill, "for the annual appointment of delegates to Congress, and of a member for the committee of States;" and that Messrs. Jefferson and Zane, do prepare and bring in the same.

A petition of Elizabeth Selden, was presented to the House, and read; setting forth, that a former General Assembly allowed her the sum of \$15*l.*, payable on the 1st day of September last, for property destroyed in Norfolk, belonging to her late husband; that she omitted to apply for the allowance, being informed that the country wanted money on loan, but was disappointed in finding, when she obtained a loan office certificate for the same, on the 30th of last March; that the auditors refused her intermediate interest, and praying that the same may be paid her.

A motion was made, and the question being put, that the said petition be referred to a committee,

It passed in the negative.

*Resolved*, That the said petition be rejected.

A petition of the churchwardens and vestrymen of the parish of Frederick, in the county of Frederick, was presented to the House, and read; setting forth, that a majority of the members of the vestry having resigned their seats at one time, and the ordinance of convention which authorised them to resume the same, not having been literally complied with, a doubt has arisen with regard to their legality, and praying that the said vestry may be dissolved.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry persons, proprietors of public tobacco inspections, was presented to the House and read; setting forth, that four shillings per hoghead annually, for rent, are not adequate even to the necessary repairs of the warehouses; and praying that some greater allowance may be made.

Also, a petition of several of the late inspectors at Blandford's, Boyd's, and Davis's warehouses, in the county of Prince George; setting forth, that the salaries allowed them under the late inspection law, for the year 1777 and 1778, were by no means equal to the trouble and risk they incurred in attending, and delivering out the tobacco at their proper warehouses, and praying that a compensation may be made them for the same.

*Ordered*, That the said petitions be referred to the committee appointed to prepare a bill, "to amend an act, entitled 'an act, for reviving several public warehouses, for the inspection of tobacco,'" that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the inhabitants of the town of Charlottesvill was presented to the House, and read; setting forth, that they suffer great injury for want of sufficient clearings on the unimproved lots within the said town; and praying that the proprietors of the same may be compelled to improve them, or sell them to those who will.

Also, a petition of sundry inhabitants of the town of Fredericksburg; setting forth, that from the difficulty of passing, the ferry at Falmouth is little used; that a ferry established at the upper end of the said town, from the land of Col. Fielding Lewis to that of William Fitzhugh, Esq., would be of general advantage; and praying that the same may take place.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That this House will, on Tuesday se'nnight, receive from the members thereof an account of the sentiments and instructions of their constituents, upon the propriety and expediency of passing into an act, a bill "for giving the members of the General Assembly an adequate allowance for their services;" which, at the last session of General Assembly, was ordered to be referred to the people.

An engrossed bill, "establishing a Board of Trade," was read the third time,

*Resolved*, That the bill do pass, and that the title be, "an act establishing a Board of Trade."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That Mr. Porter be added to the committee appointed to prepare and bring in a bill, "to establish cross Posts."

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had under their consideration the state of the Commonwealth, and had made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for establishing a Board of War," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The Speaker laid before the House a letter from the Governor, enclosing an account of such measures as have been taken by the executive for the defence of the Commonwealth, and are proper to be communicated.

And the same being read, were referred to the committee of the whole House on the state of the Commonwealth.

The House proceeded to consider the amendments made by the Senate, to the bill, entitled "an act establishing a Board of War;"

And the said amendments being read, were agreed to by the House.

*Ordered*, That Mr. Jefferson do acquaint the Senate therewith.

A bill, "for empowering the Governor, with the advice of the Council of State, to raise a body of horse upon any emergency," was read a second time, and ordered to be committed to a committee of the whole House, on Monday next.

A petition of Richmond Allen, was presented to the House, and read; setting forth, that he was elected a delegate to represent the county of New Kent for the present year, but conceives that the election was void; and praying that an inquiry may be made into the same, and a writ issued for a new election, if the late one be found illegal.

*Ordered*, That the said petition be referred to the committee of Privileges and Elections; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That it be recommended to the honorable brigadier General Scott, forthwith to send an express to Lieutenant Colonel Temple, at this time stationed at Winchester, with a part of Colonel Bland's regiment of light horse, requiring his immediate attendance with the same, at such place as to General Scott may seem most expedient for the defence of the Commonwealth; and that the Governor be desired to apply to Congress for their approbation, and inform them of those circumstances which have rendered it necessary to call for the services of this corps without awaiting their order.

*Ordered*, That Mr. Innes do carry the said resolution to the Senate, and desire their concurrence.

*Ordered*, That the order of the day, for a call of the House, be put off till Monday next.

*Ordered*, That Mr. Benjamin Harrison have leave to be absent from the service of this House, till Wednesday next.

And then the House adjourned till Monday morning, 10 o'clock.

## MONDAY, May 17, 1779.

Several other members, having taken the oath required by law, took their seats in the House.

*Ordered*, That a committee be appointed to examine the enrolled bills.

And a committee was appointed, of Messrs. J. Harvie, Burwell, Munford, W. Watkins, Tazewell and Skinker.

Mr. Jefferson presented, according to order, a bill, "for the annual appointment of Delegates to Congress, and of a member for the Committee of the States;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Baker presented, according to order, a bill "for raising a supply for the services of the current year, and for procuring an equal assessment of taxable property in this Commonwealth;" and the same was received and read the first time, and ordered to be read a second time.

A petition of sundry inhabitants of the parish of Tillotson, in the county of Buckingham, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that there is neither a church nor a vestryman in above one half of the said parish and county; and praying that the present vestry may be dissolved, and a new one chosen.

Also, a petition of the inhabitants of Wiconico parish, in the county of Northumberland, whose names are thereunto subscribed; setting forth, that the present vestry of the said parish is entirely composed of men, not one of whom has been elected by the people; and praying that the same may be dissolved, and a new one chosen.

*Ordered*, That the said petitions be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the officers, and the rest of the militia of the county of Augusta, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the greater part of them have been so long engaged in military duty on the frontiers, that they are worn down and exhausted; and praying that troops may be immediately raised, at the public expense, for the defence of the frontiers.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill or bills, pursuant to certain resolutions passed on Friday last; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Elizabeth Flood, was presented to the House, and read; setting forth, that she had an only child, who married Mr. Archibald McCall, and died a considerable time ago, leaving a daughter; that the said McCall left this country before the commencement of the present troubles, and would now willingly return with the petitioner's grand daughter, if he could obtain permission; and praying that the House would, in compassion to her old age, and in respect of her affection to her said grand daughter, grant such permission to the said McCall.

Also, a petition of William Todd; setting forth, that in the year 1772, the entail of a tract of land, upon the Dragon Swamp, whereof William Todd, gentleman, was seised, was docked by an act of the General Assembly; that the said act directed the said land, to be sold by trustees, who were required to apply the money arising therefrom, to the purchase of negroes; that the sale has been accordingly made, and the sum of 1,000*l*. 10*s*. still remains in the hands of the trustees, and praying that it may be paid him.

Also, a petition of sundry inhabitants of the county of Stafford, whose names are thereunto subscribed; setting forth, that they have for a long time experienced very great inconveniences, for want of a ferry near the upper end of Fredericksburg; and praying that one may be established from the lands of William Fitzhugh, Esq., who has consented to the same.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill, "for dissolving the several vestries in this Commonwealth, and for regulating the time and manner of electing vestries in future;" and that Messrs. Baker, Jefferson, Tazewell, Winston, W. Lee, and John Taylor, do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of whole House, on the bill, "for empowering the Governor, with the advice of the Council of State, to raise a body of horse on any emergency;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report, when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

*Ordered*, That leave be given to bring in a bill, "for ascertaining the losses, and requiring retribution to the citizens of this Commonwealth, for the depredations of the enemy on private property;" and that Messrs. Mason, Strother, Pickett, John Taylor, Baker, Munford, and Innes, do prepare and bring in the same.



The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth; and after some spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had under their consideration, the state of the Commonwealth, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to as followeth:

*Resolved, that it is the opinion of this committee,* That the measures taken by the Governor and Council against the seceding Cherokee Indians, be approved, and that all farther proceedings therein be left to their discretion.

*Resolved, that it is the opinion of this committee,* That each division of the militia, who have failed to furnish a man, agreeable to "an act entitled 'an act for speedily recruiting the Virginia regiments on continental establishment,'" be forthwith required to furnish a man by the first day of \_\_\_\_\_; and in case of failure, that such division be compelled, by fair and equal ballot, to draw for one man, in compliance with the purposes of the said act.

*Ordered,* That Mr. Jefferson do carry the first resolution to the Senate, and desire their concurrence.

*Ordered,* That a bill or bills, be brought in pursuant to the second resolution; and that Messrs. Braxton, Mason, Jefferson, John Taylor, Tazewell, and John Harvie, do prepare and bring in the same.

*Resolved,* That this House will, to-morrow, again resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

*Ordered,* That Mr. Mason be added to the committees appointed to prepare and bring in bills "for establishing a land office," and, "for the better regulation and disciplining of the militia."

*Ordered,* That leave be given to bring in a bill, "for adjusting and settling the titles of claimers to unpatented lands under the former and present government, previous to the establishment of the Commonwealth's land office;" and that the committee appointed to prepare and bring in a bill "for establishing a land office," do prepare and bring in the same.

*Ordered,* That the discussion of the claim of the Indiana company, which by an order of the last session of General Assembly, was appointed to be heard on this day, be postponed till Thursday the 27th instant.

A message from the Senate by Mr. Griffin:

**MR. SPEAKER,**—The Senate have agreed to the resolution of this House, for requesting brigadier Gen. Scott, to call for the assistance of the body of horse, now stationed at Winchester. And then he withdrew.

*Ordered,* That leave be given to bring in a bill, "for more effectually providing against invasions and insurrections;" and that the committee appointed to prepare and bring in a bill, "for the better regulation and disciplining of the militia," do prepare and bring in the same.

*Ordered,* That the order of the day, for a call of the House, be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

TUESDAY, May 18, 1779.

Several other members, having taken the oath required by law, took their seats in the House.

The Speaker laid before the House a letter from Mr. James Callaway, giving information, that Robert Cowan, who was refused to be admitted into this Commonwealth by the last Assembly, is notwithstanding, now resident in the county of Bedford.

*Ordered,* That the said letter be referred to the committee of Privileges and Elections; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Two petitions of the executors of General Mercer, and of the trustees of the town of Falmouth, were presented to the House and read; setting forth, that they were informed, that a petition was to be presented to the House, for the establishment of a ferry, from the lands of William Fitzhugh, Esq., in the county of Stafford, to the upper end of Fredericksburg, and praying that the same may not take place.

*Ordered,* That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Culpeper, whose names are thereunto subscribed, was presented to the House and read; setting forth, that the depreciation of money is owing to frequent emissions; and loans serve only to accumulate the public debt; and praying that higher taxes may be imposed, as the best mode for restoring the credit of the paper currency.

*Ordered,* That the said petition be referred to a committee of the whole House, on the bill, "for raising a supply of money for the services of the current year," and, "for procuring an equal assessment of taxable property in this Commonwealth."

Mr. Tazewell reported, from the committee of Privileges and Elections, that the committee had, according to order, examined the certificates of the election of delegates to serve in this present General Assembly, compared the same with the form prescribed by law, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to as followeth:

*Resolved, that it is the opinion of this committee,* That the certificates of the election of delegates, to serve in

this present General Assembly, for the counties of Albemarle, Amelia, Amherst, Augusta, Bedford, Berkeley, Botetourt, Brunswick, Caroline, Charles City, Chesterfield, Culpeper, Cumberland, Dinwiddie, Elizabeth City, Essex, Fairfax, Fauquier, Fluvanna, Gloucester, Goochland, Halifax, Hanover, Henrico, James City, Isle of Wight, King George, King and Queen, King William, Lancaster, Loudoun, Louisa, Lunenburg, Mecklenburg, Nansemond, New Kent, Northampton, Northumberland, Orange, Prince George, Pittsylvania, Powhatan, Prince Edward, Princess Anne, Prince William, Richmond, Rockbridge, Rockingham, Shenandoah, Southampton, Spotsylvania, Stafford, Surry, Sussex, Washington, Westmoreland, York, and of a delegate for the city of Williamsburg and borough of Norfolk, are made in the form prescribed by law.

Mr. Jefferson presented, according to order, a bill, "to establish cross Posts;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "for the annual appointment of delegates to Congress, and of a member for the committee of the States;" was read a second time, and ordered to be committed to a committee of the whole House to-day.

A bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property in this Commonwealth," was read a second time, and ordered to be committed to a committee of the whole House to-morrow.

Mr. Braxton presented, according to order, a bill, "for raising a body of troops for the immediate defence of the Commonwealth;" and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Bassett:

MR. SPEAKER.—The Senate have agreed to the resolution of this House, approving the measures taken by the executive against the seceding Cherokee Indians. And then he withdrew.

Mr. Tazewell, according to the order of yesterday, reported the amendments made by the committee of the whole House, to the bill, "for empowering the Governor, with the advice of the Council of State, to raise a body of horse on any emergency;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, and being amended were agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

Mr. Tyler reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of John Fox, praying that a ferry may be established from his land in the county of Gloucester, across York river to the opposite shore, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the town of Fredericksburg and of the county of Stafford, praying that a public ferry may be established from the land of Fielding Lewis, Esq. at the upper end of the said town of Fredericksburg, across Rappahannock river to the land of William Fitzhugh, Esq. on the opposite shore, is reasonable.

A motion was made, and the question being severally put that the said resolutions be recommitted to the same committee,

It was resolved in the affirmative.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for the annual appointment of delegates to Congress, and of a member for the committee of the States;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. Cabell:

MR. SPEAKER.—The Senate have agreed to the bill, entitled "an act, establishing a Board of Trade," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendments made by the Senate to the bill, entitled "an act, establishing a Board of Trade"

And the said amendments being read, the first four were agreed to, and the fifth disagreed to.

*Ordered*, That Mr. Jefferson do acquaint the Senate therewith.

An engrossed bill, "for empowering the Governor, with the advice of the Council of State, to raise a body of horse, on any emergency," was read a third time.

*Resolved*, That the bill do pass, and that the title be, "an act for raising a body of cavalry."

*Ordered*, That Mr. Ives do carry the bill to the Senate, and desire their concurrence.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY, May 19, 1779.

Another member, having taken the oath required by law, took his seat in the House.

A bill, "for raising a body of troops for the immediate defence of the Commonwealth," was read a second time, and ordered to be committed to a committee of the whole House to-day.

An engrossed bill, "for the annual appointment of delegates to Congress, and of a member for the committee of the States," was read a third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act for the annual appointment of delegates to Congress, and of a member for the committee of the States."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

Mr. Mason presented, according to order, a bill, "for ascertaining the loss, and requiring retribution to the citizens of this Commonwealth, for the depredations of the enemy on private property;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "to establish cross Posts," was read the second time, and ordered to be committed to a committee of the whole House, on Friday next.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have receded from their amendment to the bill, entitled "an act, to establish a Board of Trade, to which this House disagreed. And then he withdrew.

Mr. Tazewell reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration the petition of Richmond Allen, to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to as followeth:

It appears to this committee, from the information of Mr. John Tyler, that he was at New-Kent courthouse on the day of election; that a poll was opened with the names of the petitioner, Armistead Russell, John Armistead, and Lewis Webb, entered down as candidates; that after taking the votes of several electors, the sheriff stopped the poll, giving for reason that the said John Armistead, one of the candidates, was a commissioner of the tax; whereupon disputes arose among the freeholders, whether they had a right to vote for the said John Armistead; and some of them insisted that the sheriff should go on with the poll, who, thereupon began the poll anew, leaving out the name of the said John Armistead; and that several freeholders polled twice at the said election.

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the petition of the said Richmond Allen, is reasonable; and that the said election is illegal and void, and that a writ ought to issue for the election of delegates to serve in Assembly the present year for the said county.

*Ordered*, That the Speaker be desired to issue a writ, for the election of delegates for the said county of New Kent.

*Ordered*, That leave be given to bring in a bill, "for settling the rate of exchange and mode of judgments on foreign debts;" and that Messrs. Mason, James Taylor, Jefferson and R. W. Carter, do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for raising a body of troops for the immediate defence of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended were agreed to by the House.

*Ordered*, That the said bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Stevens:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for raising a body of cavalry." And then he withdrew.

The Speaker laid before the House a letter from the Governor, enclosing one from Col. Clarke.

And the said letters being read, were referred to a committee of the whole House, on the state of the Commonwealth.

*Ordered*, That Mr. Hunter have leave to be absent from the service of this House, till Monday next.

A petition of the vestry of the parish of Russell, in the county of Bedford, was presented to the House and read; setting forth, that the glebe being greatly decayed, it would be highly advantageous to the said parish if the same was to be sold, and the money arising from the sale thereof, applied to the purchase of another more convenient; and praying that an act may pass for those purposes.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the chaplain attend to read prayers at eight o'clock every morning.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole



House, on the bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property within this Commonwealth," and on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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THURSDAY, May 20, 1779.

Two other members, having taken the oath required by law, took their seats in the House.

A petition of sundry persons, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that a ferry over Shenandoah river, from the land of T. B. Martin, Esq., in the county of Frederick, where John Nicholas lately lived, to the land of Lord Fairfax, would be of general utility; and praying that the same may be established.

Also, a petition of Craddock Vaughan and others, of the county of Lunenburg, whose names are thereunto subscribed; setting forth, that they attended the last March General Court, some as veniremen, and others as witnesses on behalf of the Commonwealth, at an enormous expense, far exceeding the allowance by law; and praying that an act may pass for increasing the allowance to be made them for their past services, and remedying the like inconveniences for the future.

Also, a petition of sundry inhabitants of the county of Augusta, whose names are thereunto subscribed; setting forth, that they petitioned a former Assembly upon the division of the said county, for a straight line from Georussy's mill to North river gap, which was refused them, at the instance of a gentleman who misrepresented their intentions; and praying that they may now be gratified in their request.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That the Governor and Council be desired to remonstrate with the commanding officer of the British troops now in this State, against the cruel and barbarous manner in which he is waging war against the good people of this Commonwealth, by prosecuting it with fire and every other cruelty unknown to civilized nations by custom or law.

*Ordered*, That Mr. Braxton do carry the said resolution to the Senate, and desire their concurrence.

A motion was made, that the House come to the following resolution, to wit:

*Resolved*, That the Governor and Council be desired to order the purchase of as many provisions as will support the unhappy sufferers by the present invasion, until the next harvest comes in, to be conveyed to them as soon as opportunity will permit.

*Ordered*, That the said resolution do lie on the table.

The Speaker laid before the House a letter from the Governor, enclosing one from Thomas Bee, Esq., of South Carolina.

And the said letters being read, were referred to the committee of the whole House on the state of the Commonwealth.

An engrossed bill, "for raising a body of troops for the immediate defence of the Commonwealth," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for raising a body of volunteers for the immediate defence of the Commonwealth."

*Ordered*, That Mr. Braxton do carry the said bill to the Senate, and desire their concurrence.

Mr. J. Harvie reported from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined the same, and found them to be truly enrolled.

*Ordered*, That Mr. J. Harvie do carry the said bills to the Senate for their inspection.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had under their consideration the state of the Commonwealth, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the march of the recruits lately raised within this Commonwealth, and ordered by Congress to the southward, be not delayed for the purposes of this Commonwealth, the immediate defence of which shall be rested on its militia and regular troops.

*Resolved*, that it is the opinion of this committee, That the Governor and Council be desired to urge forward the march of the militia before ordered to South Carolina, assuring them that the Assembly will take into consideration their sufferings, and provide for them as effectually as shall be in their power, and that proper measures shall be taken with those who have refused to march or have deserted.

*Resolved*, That the Governor, be desired to inform the commissioners appointed on the part of Pennsylvania, to adjust the boundary between that State and this, that this Assembly will proceed to nominate commissioners for the

same purpose, to signify that the place by them appointed is agreeable; but to desire that such meeting may be postponed until the Assembly shall have risen, of which notice shall be given them.

*Ordered*, That Mr. Braxton do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Tyler, from the committee of Propositions and Grievances, reported, that the committee had according to order, had under their consideration, several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of William Todd, praying that so much of an act of Assembly, entitled "an act to dock the entail of certain lands, whereof William Todd, gentleman, is seised, and for other purposes therein mentioned," as directs the trustees, to lay out the money arising from the sale of the said lands in the purchase of slaves, to be settled to the same uses, may be repealed, and the said trustees directed to pay the said money to your petitioner, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the counties of Mecklenburg and Halifax; praying that a public ferry may be established from the lands of James Wilkins, across Roanoke river to the lands of Robert Munford, is reasonable.

*Ordered*, That bills be brought in pursuant to the said resolutions, and that the committee of Propositions and Grievances, do prepare and bring the same.

*Ordered*, That Messrs. J. Harvie and C. Carter be added to the committee of Propositions and Grievances.

A bill, "for ascertaining the loss, and requiring retribution to the citizens of this Commonwealth, for the depredations of the enemy on private property," was read a second time, and ordered to be committed to a committee of the whole House, on Monday next.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property within this Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration and made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The order of the day, for a call of the House, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, May 21, 1779.

Two other members, having taken the oath required by law, took their seats in the House.

*Ordered*, That leave be given to bring in a bill, "concerning officers, soldiers, sailors, and marines;" and that Messrs. Jefferson, Page, and Innes of York county, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "to empower the justices of the county of Spotsylvania, to sell the courthouse thereof;" and that Messrs. Page and Winslow, do prepare and bring in the same.

A petition of William Johnson, Abel Randall, and Elias Poston, commissioners of the tax for the county of Hampshire, was presented to the House and read; setting forth, that the allowance made by law to clerks to the commissioners, is by no means equal to their trouble; that they have been obliged to engage one at their own expense, and praying that his wages may be increased in proportion to other things.

*Ordered*, That the said petition be referred to the committee of the whole House, on the bill, "for raising a supply of money for the services of the current year; and for procuring an equal assessment of taxable property within this Commonwealth."

A petition of sundry inhabitants of the county of Augusta, whose names are thereunto subscribed, was presented to the House and read; setting forth, that some of their neighbors in the said county, petitioned the last Assembly, to be added to the county of Rockingham; that such a measure, if adopted, would be exceedingly injurious to the petitioners, and will probably be again solicited from this present Assembly; and praying that such an application may not be countenanced.

Also, a petition of William Grayson; setting forth, that he is seised of several lots in the town of Dumfries, which are now useless to him, but would be very advantageous if converted into pasture; that he cannot do this conveniently, unless they are severed from the town; and praying that an act may pass for that purpose, and that such parts of Oroonoko, Hadgina, and the back streets, as run through or behind the same, may be vested in him in fee simple.

Also, a petition of sundry inhabitants of the county of Bedford; setting forth, that the said county is so large,

that they cannot attend the public meetings without great inconvenience, and praying that an act may pass for the division of the same.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That the Speaker be desired to assure the hon. Brig. Gen. Scott, that the resolution which passed this House yesterday, respecting the march of the new recruits that have been ordered by General Washington to the southward, was by no means intended to deprive him of the command with which he had been invested by the executive body of this State; that this House have the highest sense of the important services rendered this Commonwealth, by him in arranging and disposing the militia thereof; and although it may be judged expedient to send the said recruits to the immediate assistance of our southern friends, yet they hope he will continue to direct the military operations of the troops that may be called on to repel the present invasion.

The Speaker laid before the House, a letter from the Governor, enclosing one from the President of Congress, together with several resolutions of that body, and a letter from Gen. Washington.

And the letters and resolutions, being read, were ordered to lie on the table.

Mr. Jefferson presented, according to order, a bill, "concerning officers, soldiers, sailors, and marines;" and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for raising a supply of money for the services of the current year and, for procuring an equal assessment of taxable property within this Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House, on the said bill.

Mr. Munford presented, according to order, a bill "for the better regulation and disciplining of the militia;" and the same was received and read the first time, and ordered to be read a second time.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The other order of the day, for the House to resolve itself into a committee of the whole House, on the bill "to establish cross Posts," being read,

*Ordered*, That the same be put off till Tuesday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, May 22, 1779.

Another member, having taken the oath required by law, took his seat in the House.

A bill, "concerning officers, soldiers, sailors, and marines," was read a second time, and ordered to be committed to a committee of the whole House, on Wednesday next.

*Ordered*, That Mr. Hull have leave to be absent from the service of this House, till Thursday next.

A bill, "for the better regulation and discipline of the militia," was read a second time, and ordered to be committed to a committee of the whole House, on Wednesday next.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for remonstrating with the commanding officer of the British troops within this Commonwealth, upon the unjustifiable manner in which he prosecutes the war against the good people thereof; for urging forward the march of the militia ordered to South Carolina; and for appointing commissioners to adjust the boundary line between this Commonwealth and the State of Pennsylvania.

They have also inspected several enrolled bills, and find them to be truly enrolled, and their Speaker has signed them. And then he withdrew.

The Speaker signed three enrolled bills, "establishing a Board of War;" "establishing a Board of Trade;" and "for raising a body of cavalry."

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for raising a body of volunteers for the defence of the Commonwealth," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendments made by the Senate, to the bill, entitled "an act, for raising a body of volunteers, for the defence of the Commonwealth."

And the said amendments being read, some were agreed to, and others disagreed to.

*Ordered*, That Mr. Baker do acquaint the Senate therewith.

Mr. Peyton reported, from the committee to whom was referred the petition of Charles Binns, that the committee had, according to order, had the said petition under their consideration, and had agreed upon a report, and come



to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

It appears to your committee, that 160 lbs. of tobacco was levied by the county court of Loudoun, and paid to the said Charles Binns, for attending as clerk on an examining court held on a slave belonging to William Trainmell; that in laying the last public levy, the same was not re-levied for the said county, upon a suspicion, that the clerk had charged for attending two courts for the examination of the same person and for the same offence; and therefore, he was obliged to repay to the sheriff of the said county the sum of forty shillings, in lieu of the said tobacco.

It also appears to your committee, that there were two courts held for the examination of the same person, but that they were for different offences.

Whereupon, your committee came to the following resolution thereupon:

*Resolved*, that it is the opinion of this committee, That the petition of the said Charles Binns, is reasonable; and that the said sum of forty shillings ought to be allowed and paid him by the public.

*Ordered*, That Mr. Peyton do carry the said resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER.—The Senate do insist on their amendment to the bill, entitled "an act, for raising a body of volunteers, for the defence of the Commonwealth," to which this House have disagreed.

They have agreed to the resolution of this House, for paying Charles Binns, the sum of forty shillings. And then he withdrew.

The House proceeded to consider the amendment made by the Senate to the bill, entitled "an act, for raising a body of volunteers, for the defence of the Commonwealth," on which they have insisted.

And the said amendment being read, the House receded from their disagreement thereto.

*Ordered*, That Mr. Baker do acquaint the Senate therewith.

The Speaker laid before the House, a letter from the Governor, enclosing one from Brigadier General Allen Jones, of the State of North Carolina.

And the said letters being read, the House came to the following resolutions thereupon:

*Resolved*, That the Governor be desired to express to Brigadier General Jones, the high sense the General Assembly have of the generous interposition of the Assembly of North Carolina, to avert the dangers with which this State is threatened from the present invasion, and that the executive take such order with respect to the assistance tendered in Gen. Jones's letter as may appear necessary.

*Resolved*, That the thanks of the General Assembly be given to Gen. Jones for the willingness which he has shewn to raise a regiment of militia for the assistance of this Commonwealth, in the present invasion thereof, agreeable to the act of the legislature of that State.

*Ordered*, That Mr. Page do carry the said resolutions to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "for more effectually guarding against counterfeiting the bills of credit, treasury notes, and loan office certificates, and for other purposes therein mentioned;" and that Messrs. W. Watkins, Tazewell, Innes, Baker, Tyler, Page, Munford, Harvie and Field, do prepare and bring in the same.

A petition of John Morton, sheriff of the county of Prince Edward, was presented to the House, and read; setting forth, that his expenses in lately bringing a criminal to the public jail far exceeded the allowance made by law; and praying that his reasonable disbursements on that occasion may be refunded.

Also, a petition of the inhabitants of the town of Staunton, in the county of Augusta, setting forth; that they receive great injury from swine going at large, and for want of power in the trustees to lay a yearly tax on the titable persons therein, sufficient to keep the streets and aqueducts in repair; and praying that an act may pass for preventing the injury aforesaid for the future, and authorising the trustees to impose a tax for the purposes aforesaid.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Monday next.

*Ordered*, That Mr. Mitchell be added to the committees of Privileges and Elections and Propositions and Grievances; and Mr. Richard Lee to the committee for Courts of Justice.

*Resolved*, That leave be given to the Indiana company, to be heard at the bar of this House on Thursday the 27th instant, in defence of their claim.

*Resolved*, That Mr. Edmund Randolph, clerk of this House, be permitted to act as counsel therein.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, May 24, 1779.

Several other members, having taken the oath required by law, took their seats in the House.

Mr. Skinker reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined another, and found it to be truly enrolled.

*Ordered*, That Mr. Skinker do carry the said bill to the Senate for their inspection.

A petition of sundry inhabitants of the county of Orange, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that from the great extent of their county, a large proportion of the inhabitants thereof, are very remote from the courthouse; and praying that the same may be divided into two separate districts, and the general musters and courtmartial held as nearly central as possible.

*Ordered*, That the said petition do lie on the table.

A message from the Senate by Mr. Taylor:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, respecting the assistance tendered to this Commonwealth by the State of North-Carolina, and for thanking Brigadier General Jones for his exertions. And then he withdrew.

A memorial of the auditors of public accounts was presented to the House, and read; setting forth, that the salaries allowed by law to the clerks of that board are inadequate to their services; that the duty of the assistant clerk is equal to that of the clerk of accounts; and praying that the salaries of both the said clerks may be increased.

Also, several petitions of sundry inhabitants of the county of Bedford, whose names are thereunto subscribed; setting forth, that from the great extent of their county, and the number of water courses therein, the roads to the courthouse and other public meetings being frequently impassable, the same hath become very inconvenient to the inhabitants thereof; and praying that a division of the said county, agreeable to the boundaries expressed in the said petitions, may take place.

Also, a petition of sundry other inhabitants of the same county, in opposition thereto.

Also, a petition of sundry inhabitants of the county of Henry; setting forth, that they labor under many inconveniences and difficulties from the great extent of their county; and praying that a part thereof, may be added to a part of the county of Bedford, agreeable to certain boundaries therein expressed.

Also, a petition of sundry inhabitants of the county of Stafford; setting forth, that the place appointed for the erection of a new courthouse, since the late alteration in the line of the said county, is disagreeable to a majority of the inhabitants thereof; and praying that, as the same is not central, the courthouse may continue at the old place until better times, or until this House can take such order therein as may tend to remove the present uneasiness of the people.

Also, a petition of sundry other inhabitants of the same county, whose names are thereunto subscribed, in opposition thereto.

Also, a memorial of Bailey Washington; setting forth, that the places appointed by the justices of Stafford county for the erection of a new court-house, and for holding their courts in the mean time, are not central; and praying that the centre of the said county may be ascertained by survey.

*Ordered*, That the said memorials and petitions be referred to the consideration of the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Tazewell reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration the letter of James Callaway, respecting Robert Cowan, to them referred; and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as followeth:

It appears to your committee, from the information of Mr. E. Winston, Mr. John Talbot and Mr. James Buford, that they were acquainted with the said Cowan some time before the commencement of the war with Great Britain; that he was elected a member of the first committee in the county of Bedford; that upon a recommendation of the Convention to the several counties to procure ammunition, the said Cowan objected, in committee, to the measures as tending to an open rupture with Great Britain, whose force we were not able to oppose; that soon after this the said Cowan withdrew, and declined to act longer as a member of the committee, and entered himself in the volunteer company, but did not attend to their knowledge; that he refused to take the oath of allegiance and fidelity to the State, and was suspected of being unfriendly to the American cause.

It appears to your committee, from the farther information of the said Buford, that he has frequently conversed with the said Cowan about the dispute with Great Britain, who always professed great attachment to this country, for that his property was here, and he had no expectations from his friends in England, whither he had for some time intended to go, in order to bring over his father and mother, for whom he had purchased a settlement near his own lands, and that before he returned he hoped the disputes with Great Britain might be settled; and that the said Cowan accordingly left this State some time in the month of April, 1777.

It appears to your committee, from a resolution of the committee of Safety, dated at Williamsburg, in March, 1776, that the said Cowan was permitted to leave this colony, advertising the same according to act of Assembly, previous to his departure; that the said Cowan did, in the month of March, 1777, advertise his departure in these words: "I purpose to leave this State in the Spring, and return in a few months."



The said Cowan produced a certificate to your committee in these words :

"State of North Carolina, Edenton, sc.  
 "These may certify, that Mr. Cowan, the bearer hereof, who arrived here in the sloop Peggy, Capt. Waistcoat, from Bermuda, with intention to become an American citizen, came of his own accord before me and took the oath of allegiance prescribed by act of Assembly of this State, to this State and the United States.

"Given under my hand and seal this 25th of February, 1779.

ROBERT SMITH, J. P."

It also farther appears to your committee, that the said Cowan hath taken and subscribed the oath of allegiance and fidelity to this Commonwealth, according to the act of Assembly, in that case made ; and that he is the same Robert Cowan who was, by a resolution of the last Assembly, refused admittance in this State.

Upon the whole matter your committee came to the following resolution :

*Resolved*, that it is the opinion of this committee, That the said Robert Cowan ought not to be permitted to reside in this State.

A motion was made, and the question being put, that the said resolution do lie on the table,

It was resolved in the affirmative.

*Resolved*, That the Governor and Council be desired to inform the commanding officer of the enemy, who have invaded this State, that if a stop be not put to the barbarities and unwarrantable depredations committed by those troops, a severe retaliation will be made upon the persons and property of the subjects of the King of Great Britain within this Commonwealth.

*Ordered*, That Mr. Baker do carry the said resolution to the Senate, and desire their concurrence.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth ; and also on the bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property within this Commonwealth ;" and also, on the bill, "for ascertaining the loss, and requiring retribution to the citizens of this Commonwealth, for the depredations of the enemy on private property," being read,

*Ordered*, That the same be put off till to-morrow.

Mr. Page presented, according to order, a bill, "to empower the justices of the county of Spotsylvania, to make sale of their late courthouse ;" and the same was received and read the first time, and ordered to be read a second time.

And then the House adjourned till to-morrow morning, 10 o'clock.

TUESDAY, May 25, 1779.

A message from the Senate by Mr. Harrison :

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for the annual appointment of delegates to Congress, and for a member of the committee of the States," with amendments ; to which they desire the concurrence of this House. They have also inspected one other enrolled bill, and find it to be truly enrolled, and their Speaker has signed it. And then he withdrew.

The Speaker then signed the enrolled bill, "for raising a body of volunteers for the defence of the Commonwealth."

Mr. Charles Carter presented, according to order, a bill "to authorize certain trustees to pay to William Todd, gentleman, the money arising from the sale of lands, and for other purposes ;" and the same was received and read the first time, and ordered to be read a second time.

A petition of sundry inhabitants of the county of Pittsylvania, whose names are thereunto subscribed, was presented to the House, and read ; setting forth, that the stream of the river Banister, which runs through part of the said county, is choaked and obstructed by stone stops and mill dams, whereby they are prevented from getting fish ; and praying that an act may pass to clear the passage thereof.

Also, a petition of sundry inhabitants of the counties of Amelia and Chesterfield, whose names are thereunto subscribed ; setting forth, that the rebuilding the two bridges called Bevil's and Goode's over the river Appomattox, which have been heretofore supported at their joint expense, would at this time be burthensome and oppressive to them if paid for out of their own pockets, and praying that a toll may be imposed for that purpose.

Also, several petitions of sundry inhabitants of the county of Augusta, whose names are thereunto subscribed ; setting forth, that they labor under many inconveniences by reason of the great extent of their said county, and praying that a division thereof may take place, agreeable to certain boundaries therein expressed.

Also, a petition of sundry other inhabitants of the county of Augusta ; setting forth, that since the county of Monongalia has been taken therefrom, they have been annexed to the said county of Augusta, which is very grievous and oppressive to them, being upwards of one hundred and fifty miles from the courthouse ; and praying to be added to the said county of Monongalia.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances ; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.



Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth :

*Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of John Fox, praying that a public ferry may be established from his lands in the county of Gloucester across York river, to the opposite shore, be deferred to the next session of Assembly.

*Resolved, that it is the opinion of this committee,* That the petition of William Grayson, praying that the lots numbered from 92 to 103 inclusive, which he holds in the town of Dumfries, may be severed from the said town, and vested in the petitioner in fee, is reasonable.

*Ordered,* That a bill or bills, be brought in pursuant to the second resolution, and that the committee of Propositions and Grievances, do prepare and bring in the same.

A bill, "to empower the justices of the county of Spotsylvania to make sale of their late courthouse," was read a second time, and ordered to be committed to Messrs. Page, Winslow, Charles Carter, Jefferson, G. Anderson and R. Anderson.

A motion was made,

That leave be given to bring in a bill, "for giving the members of the General Assembly an adequate allowance for their services."

Whereupon, the House proceeded, according to the order of the day, to receive from the members an account of the sentiments and instructions of their constituents upon the propriety and expediency of passing into an act a bill for that purpose, which at the last session of Assembly was ordered to be referred to the people; and the same being heard,

*Ordered,* That leave be given to bring in a bill, "for giving the members of the General Assembly an adequate allowance for their services;" and that Messrs. Richard Lee and Jefferson, do prepare and bring in the same.

The House proceeded to consider the amendments proposed by the Senate to the bill, entitled "an act for the annual appointment of delegates to Congress, and of a member for the committee of the States;" and the same being read, some were agreed to, and one disagreed to.

*Ordered,* That Mr. Jefferson do acquaint the Senate therewith.

A petition of sundry inhabitants of the parish of Drysdale, in the counties of Caroline and King and Queen, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that none of the present vestry for the said parish are the choice of the people, and praying for a dissolution thereof.

*Ordered,* That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate desire a free conference with the House of Delegates upon the amendment made by the Senate to the bill, entitled "an act for the annual appointment of delegates to Congress, and of a member for the committee of the States," to which this House have disagreed; and that they have appointed managers accordingly. And then he withdrew.

*Resolved,* That a free conference be had with the Senate on the subject of the said amendment; and that Messrs. Jefferson, Baker, Innes of York, Ball and Tazewell, be appointed managers on the part of this House.

*Ordered,* That Mr. Jefferson do acquaint the Senate therewith.

The managers accordingly withdrew, and after some time returned; and Mr. Jefferson reported that they had, according to order, met the managers on the part of the Senate in the conference chamber, and had a free conference on the subject of the Senate's amendment to the bill, entitled "an act for the annual appointment of delegates to Congress, and of a member for the committee of the States," to which this House have disagreed, and that the managers are unable to come to any arrangement thereupon.

Mr. Richard Lee presented, according to order, a bill "for giving the members of the General Assembly an adequate allowance for their services;" and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for establishing cross Posts;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered,* That the bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate do insist on their amendments to the bill, entitled "an act for the annual appointment of delegates to Congress, and of a member for the committee of States," to which this House have disagreed; and they desire this House will recede from their disagreement thereto. And then he withdrew.

The said amendments being reconsidered, and that the question put this House do recede from their disagreement to the same,

It was resolved in the affirmative.

*Ordered*, That Mr. Jefferson do acquaint the Senate therewith.

The Speaker laid before the House a letter from the Governor, enclosing sundry papers, and stating several matters for the consideration of the House,

And the said letters and papers being read, the letter from William Waddrop was ordered to lie on the table, and the rest were referred to the committee of the whole House on the state of the Commonwealth.

*Ordered*, That the report from the committee of Privileges and Elections, respecting Robert Cowan, which was yesterday ordered to lie on the table, be referred to the committee of the whole House on the state of the Commonwealth.

Mr. Tazewell reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Mildred Mitchell, praying that her husband, Thomas Mitchell, now in the island of Bermuda, may be permitted to return to and reside in this State, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Louisa, praying that the said Thomas Mitchell may be permitted to return to his family, be rejected.

*Ordered*, That the said report be referred to the committee of the whole House, on the state of the Commonwealth.

*Ordered*, That Mr. Jefferson be added to the committee appointed to prepare and bring in a bill, "for more effectually guarding against counterfeiting the bills of credit, treasury notes, and loan office certificates, and for other purposes therein mentioned."

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the State of the Commonwealth; and on the bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property within this Commonwealth," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for ascertaining the loss, and requiring retribution to the citizens of this Commonwealth for the depredations of the enemy on private property," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, May 26, 1779.

Another member, having taken the oath required by law, took his seat in the House.

Mr. William Watkins presented, according to order, a bill, "for punishing persons guilty of certain forgeries;" and the same was received and read the first time, and ordered to be read a second time.

Mr. William Watkins reported, from the committee for Religion, that the committee had, according to order, had under their consideration the petition of the vestry of the parish of Russell, in the county of Bedford, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the vestry of the parish of Russell, in the county of Bedford, praying that the vestry of the said parish may be empowered to sell the glebe of the said parish, and lay out the money arising therefrom in the purchase of a more convenient glebe, is reasonable.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution, and that the committee for Religion do prepare and bring in the same.

A petition of Lewis Burwell, jun. was presented to the House, and read; setting forth, that [*Here the copy was defective.*]

which were taken some time in the year 1776, by the commanding officer of the Virginia troops on that station, and applied to the accommodation of the same, have been totally destroyed; and praying such satisfaction for the same as to this House may seem just and right.

*Ordered*, That the said petition be referred to Messrs. Curle, Richard Lee, Innes of York, Brown, Ball, Baker, Tabb, James Taylor, Burwell, and Norvell; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Dorothy Goodrich, was presented to the House, and read; setting forth, that she is left by her husband John Goodrich, jun. with two small children, almost destitute of support; and praying permission to go with a flag to her husband, on board the enemy's fleet.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions

thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the town of Charlottesville, in the county of Albemarle; praying that the proprietors of lots in the said town, who have failed to improve the same, may be compelled to do so in a limited time, or forfeit the said lots, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the county of Bedford, praying that the said county may be divided into two distinct counties, by a line to begin at the end of Fleming's mountain on James river, thence along the top of the mountain to the high knob thereof, opposite to Charles Bright's plantation, thence by a direct line to the mouth of M<sup>d</sup> Daniel's creek on Goose creek, and down Goose creek to Staunton river, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of divers other inhabitants of the said county, in opposition thereto, is reasonable.

The first resolution being read a second time, and the question being put, that it be recommitted to the same committee,

It was resolved in the affirmative.

The second and third resolutions were read a second time, and agreed to by the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property within this Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. C. Carter reported, that the committee had, according to order, had the said bill under their farther consideration, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved,* That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The Speaker laid before the House, a letter from the Governor, stating a matter for their consideration; and the same being read, was ordered to lie on the table.

A bill, "to authorise certain trustees to pay to William Todd, gentleman, the money arising from the sale of lands, and for other purposes," was read the second time, and ordered to be engrossed and read a third time.

A bill, "for giving the members of the General Assembly an adequate allowance for their services," was read the second time, and ordered to be committed to a committee of the whole House, on Friday next.

An engrossed bill, "for establishing cross Posts," was read the third time.

*Resolved,* That the bill do pass, and that the title be, "an act for establishing cross Posts."

*Ordered,* That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered,* That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for the better regulation and discipline of the militia," being read,

*Ordered,* That the same be put off till Monday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "concerning officers, soldiers, sailors, and marines," being read,

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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#### THURSDAY, May 27, 1779.

Another member, having taken the oath required by law, took his seat in the House.

An engrossed bill, "to authorise certain trustees to pay to William Todd, gentleman, the money arising from the sale of lands, and for other purposes," was read the third time.

*Resolved,* That the bill do pass, and that the title be, "an act to authorise certain trustees to pay to William Todd, gentleman, the money arising from the sale of lands, and for other purposes."

*Ordered,* That Mr. Charles Carter do carry the bill to the Senate, and desire their concurrence.

A bill, "for punishing persons guilty of certain forgeries," was read the second time, and ordered to be committed to a committee of the whole House, on Monday next.

*Ordered,* That leave be given to bring in a bill, "concerning escheators;" and that Mr. Jefferson do prepare and bring in the same.

A petition of sundry inhabitants of the town of Winchester, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they labor under many inconveniences for want of a proper power to regulate the affairs of the said town; and praying that an act may pass, for erecting the said town into a corporation.

Also, a petition of sundry inhabitants of the county of Henry, whose names are thereunto subscribed; setting



forth, that they are informed a petition has been presented to this House, for a division of the said county; that the militia thereof do not exceed nine hundred; that nine tenths of them are very poor, and that a division would be exceedingly injurious to the inhabitants; and praying that a division may not take place.

Also, a petition of sundry of the inhabitants of the county of Augusta, whose names are thereunto subscribed; setting forth, that they are informed a petition was presented to the last Assembly for dividing the said county, and running the line of division in such a manner as to place them in a new county; and praying that such division may not take place.

Also, a petition of Matthew Moody; setting forth, that he acted as cryer to the Court of Oyer and Terminer, in December last, and to the General Court, in April last, agreeable to the appointment of judges, without receiving any satisfaction for the same; and praying such allowance for the same as this House may think just.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon to the House.

*Ordered*, That Mr. James Taylor have leave to be absent from the service of this House, till Monday se'nnight.

Mr. Lyne reported, from the committee for Courts of Justice, that the committee had, according to order, inquired what laws have expired since the last session, or will expire with the end of this session, or are near expiring, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

[*Here the copy was defective.*] Council, which was continued by one other act, entitled "an act for continuing an act, for giving certain powers to the Governor and Council," which was farther continued by one other act, entitled "an act to extend the powers of the Governor and Council, which will expire at the end of this present session of Assembly," ought to be farther continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled "an act to empower the Governor and Council to superintend and regulate the public jail," which will expire at the end of this present session of Assembly, ought to be continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled "an act to empower the Governor and Council to lay an embargo for a limited time," which will expire at the end of this present session of Assembly, ought to be continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled "an act to enable the Governor and Council to supply the armies and navies of the United States, and of their allies, with grain and flour," which will expire at the end of this present session of Assembly, ought to be continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1776, entitled "an act for the appointment of naval officers, and ascertaining their fees," which will expire at the end of this present session of Assembly, ought to be continued and amended.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, entitled "an act appointing the place for holding the High Court of Chancery and General Court," and "empowering the said High Court of Chancery to appoint their own serjeant at arms," which will expire at the end of this present session of Assembly, ought so far as it respects the place for holding the said courts, to be continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, entitled "an act for farther suspending the payment of the salaries heretofore given to the clergy of the church of England," which hath been by several acts suspended from session to session, until the end of this present session of Assembly, ought to be farther suspended.

Your committee take leave to inform the House, that a resolution passed the House of Delegates the last session, "for allowing to Edward Archer the sum of 65*l*. for his house, which was destroyed in the borough of Norfolk;" but that the same was never carried to the Senate for their concurrence.

*Resolved*, that it is the opinion of this committee, That the said resolution ought to be revived.

The 1st, 2d, 3d, 4th, 5th, 6th, and 8th resolutions being again read, were agreed to by the House.

The 7th resolution being again read, was ordered to lie on the table.

*Ordered*, That a bill or bills, be brought in pursuant to the 1st, 2d, 3d, 4th, 5th and 6th resolutions; and that the committee for Courts of Justice, do prepare and bring in the same.

*Ordered*, That Mr. Charles Carter do carry the said resolution, respecting Edward Archer to the Senate, and desire their concurrence.

*Ordered*, That the committee for Courts of Justice, be discharged from reporting from the Journals of the last sessions, the petitions and propositions then depending and undetermined; and that all such petitions and propositions be delivered of course to the proper committees.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, the memorial of the auditors of public accounts to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the memorial of the said auditors is reasonable; and that the clerk of accounts and assistant clerk ought to be allowed each the sum of 500*l*. by the year.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution; and that the committee of Propositions and Grievances, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "for removing the seat of government;" and that Messrs. Harvie, Thomson, Thomas Johnson, Baker and John Taylor, do prepare and bring in the same.

Mr. Jefferson presented, according to order, a bill, "concerning escheators;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Charles Carter presented, according to order, a bill, "to sever certain lots from the town of Dumfries, held by William Grayson, gentleman;" and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. C. Carter reported, that the committee had, according to order, had under their farther consideration, the state of the Commonwealth, and had agreed to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That if the monies directed to be emitted by an act of the last session of Assembly, and those which have come, and shall come into the treasury, be not sufficient to answer the calls for the public service, until the taxes of the present year be paid in, the treasurer be authorised to issue such sums in bills of credit, not exceeding one million of pounds, as shall be necessary to supply the deficiency till that time; and that such bills be entered in the auditor's office to the debit of the treasurer, and in proof thereof be signed in the left hand corner by one of the auditors, or of their clerks, or an assistant clerk, to be appointed for this special purpose, without which signature they shall not be current; for the redemption of which bills the public faith shall be pledged; and that the treasurer be instructed to call on the several sheriffs to make as early payments into the treasury of the taxes of the present year as they shall be able, in sums not less than 1,000 pounds.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution; and that Messrs. C. Carter, Jefferson, and Baker, do prepare and bring in the same.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the state of the Commonwealth.

*Resolved*, That the discussion of the claim of the Indiana Company, which was fixed to be heard on this day, be postponed until Wednesday next, at the special instance of the said Company.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property in this Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Charles Carter reported, that the committee had, according to order, had the said bill under their farther consideration, and had made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The Speaker laid before the House a letter from the Governor, enclosing sundry papers, and stating several matters for the consideration of the General Assembly; and the same were read, and ordered to be referred to the committee of the whole House, on the state of the Commonwealth.

A message from the Senate by Mr. Jett:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act to authorise certain trustees to pay to Wm. Todd, gentleman, the money arising from the sale of lands, and for other purposes." And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "concerning officers, soldiers, sailors, and marines;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he was ready to report, when the House should think proper to receive them.

*Ordered*, That the said report be received to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for ascertaining the loss, and requiring retribution to the citizens of this Commonwealth for the depredations of the enemy on private property," being read,

*Ordered*, That the same be put off till Tuesday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

FRIDAY, May 28, 1779.

Another member, having taken the oath required by law, took his seat in the House.

The Speaker laid before the House a letter from the Governor, resigning his office as chief magistrate of the Commonwealth; and the same was read, and ordered to lie on the table.

A bill, "to sever certain lots from the town of Dumfries, the property of William Grayson, gentleman," was read the second time, and ordered to be engrossed and read the third time.



A bill, "concerning escheators," was read the second time, and ordered to be committed to the committee for Courts of Justice.

*Ordered*, That Mr. Zane be added to the committee for Courts of Justice.

Mr. Page, according to the order of yesterday, reported from the committee of the whole House, the amendments made to the bill, "concerning officers, soldiers, sailors and marines;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where they were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Baker presented, according to order, a bill, "for the dissolution of vestries;" and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property in this Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. C. Carter reported, that the committee had, according to order, had the said bill under their consideration, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

A petition of Winniford Johnson, was presented to the House, and read; setting forth, that her son John Johnson, enlisted as a soldier in the continental service some time in the year 1776, for the term of three years; that while on duty in the Jerseys he was frost-bitten, and lost his toes, whereby he was discharged; that she hired a person to bring him from camp to her house, but that he died before the messenger got there; and praying to be reimbursed the sum of money advanced for that purpose.

*Ordered*, That the said petition be referred to the committee for Public Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended, were agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petitions of divers inhabitants of the counties of Henry and Bedford, praying that a new county may be formed out of the said counties, by a line to begin from the mouth of Blackwater river, thence up Staunton river to the Blue Ridge, thence along the said ridge to the head of Shooting creek, thence a direct line to the head of Turkey-cock creek, thence to intersect the line dividing Pittsylvania and Henry, thence along that line to the mouth of Blackwater river, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the said county of Henry, in opposition thereto, he rejected.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions; and that the committee of Propositions and Grievances, do prepare and bring in the same.

*Resolved*, That this House will, on Tuesday next, proceed by joint ballot with the Senate, to the choice of a Governor or Chief Magistrate of this Commonwealth for one year, in the room of his excellency Patrick Henry, Esq., who has resigned.

*Ordered*, That Mr. Hite do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for giving the members of the General Assembly an adequate allowance for their services;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Charles Carter reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

*Ordered*, That leave be given to bring in a bill, "for paying the members of this present session an adequate allowance for their services;" and that Mr. Jefferson do prepare and bring in the same.

*Ordered*, That Mr. Baker have leave to be absent from the service of this House, until Tuesday next.

*Ordered*, That Mr. Jefferson be added to the committee appointed to prepare and bring in a bill, "for removing the seat of government."

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.



SATURDAY, May 29, 1779.

Two other members, having taken the oath required by law, took their seats in the House.

The Speaker laid before the House a letter from Thomas Read, clerk of Charlotte county, enclosing a copy of their proceedings respecting the collection of the taxes the present year within that county; and the same was read, and ordered to be referred to the committee of the whole House on the bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property in this Commonwealth."

The Speaker laid before the House a letter from the delegates representing this state in Congress, enclosing several papers, and stating sundry matters for their consideration; and the same were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

*Ordered*, That leave be given to bring in a bill "prescribing the oath of fidelity, and the oaths of certain public officers;" and that Mr. Jefferson do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "permitting those who will not take the oaths, to be otherwise qualified;" and that Mr. Jefferson do prepare and bring in the same.

An engrossed bill, "concerning officers, soldiers, sailors, and marines," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act concerning officers, soldiers, sailors, and marines."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for giving the members of the General Assembly an adequate allowance for their services," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for fixing the allowance of the members of the General Assembly."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to sever certain lots from the town of Dumfries, held by William Grayson, gentleman," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to sever lots from the town of Dumfries, held by William Grayson, gentleman."

*Ordered*, That Mr. Burr Harrison do carry the bill to the Senate, and desire their concurrence.

A bill, "for the dissolution of vestries;" was read the second time, and ordered to be committed to a committee of the whole House, on Monday se'nnight.

Mr. Jefferson presented, according to order, a bill, "prescribing the oath of fidelity, and the oaths of certain public officers;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Jefferson presented, according to order, a bill "permitting those who will not take the oaths, to be otherwise qualified;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Charles Carter presented, according to order, a bill, "for enabling the treasurer to emit a sum of money for supplying the public exigencies;" and the same was received and read the first time, and ordered to be read a second time.

*Resolved*, That the Governor be desired to present the finest gelding that can be procured, and caparisoned in the best manner, to brigadier General Scott, as a small testimony of their sense of his activity and zeal in the late invasion of this Commonwealth.

*Resolved*, That the treasurer be directed to pay for the said gelding, and also to pay to General Scott the sum of five hundred pounds, as a farther acknowledgment of his services.

*Ordered*, That Mr. Innes do carry the said resolutions to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, upon the bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property in this Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Charles Carter reported, that the committee had, according to order, had the said bill under their farther consideration, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House, upon the said bill.

The Speaker laid before the House, a letter from the Governor, enclosing several papers, and stating sundry matters for the consideration of the General Assembly; and the same being read, those respecting the Indian affair were ordered to lie on the table; the rest were referred to the committee of the whole House, on the state of the Commonwealth.

Mr. Harvie presented, according to order, a bill, "for the removal of the seat of government;" and the same was received and read the first time, and ordered to be read a second time on Monday next.

A bill, "for enabling the treasurer to emit a sum of money for supplying the public exigencies;" was read the second time, and ordered to be committed to a committee of the whole House, on Monday next.

*Resolved*, That the Governor be desired to provide for, and to send to the unhappy sufferers by the present invasion, in and about Portsmouth and Suffolk, as much provisions as may be necessary for their present support.

*Ordered*, That Mr. Tazewell do carry the resolution to the Senate, and desire their concurrence.

Mr. Charles Carter presented, according to order, a bill, "for forming a new county out of the counties of Bedford and Henry;" and the same was received and read the first time, and ordered to be read a second time.

The order of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, May 31, 1779.

Two other members, having taken the oath required by law, took their seats in the House.

The Speaker laid before the House, a letter from the delegates of this Commonwealth in Congress, enclosing certain proceedings of the General Assembly of Maryland, respecting the confederation; and the same was read, and ordered to be referred to Messrs. Jefferson, George Mason, Munford, Harvie and Ball, to examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House proceeded to nominate persons proper to be ballotted for, as Governor or Chief Magistrate of this Commonwealth.

*Ordered*, That Mr. Harvie do carry a list of the persons so nominated to the Senate.

A bill, "for prescribing the oath of fidelity, and the oath of certain public officers;" was read the second time, and ordered to be engrossed and read a third time.

A bill, "for permitting those who will not take oaths, to be otherwise qualified;" was read the second time, and ordered to be engrossed and read a third time.

A petition of Sarah Swearingen, was presented to the House, and read; setting forth, that upon a dispute between Thomas Shepherd and the heirs of her late husband Thomas Swearingen, dec'd., respecting a ferry across Potomac river at the town of Mecklenburg, an act of Assembly passed to establish the right in favor of the heirs of the said Thomas Swearingen; that at the last session of Assembly, another act passed to establish a ferry at the same place, in favor of Abraham Shepherd, son of the said Thomas; and praying that the latter act may be repealed.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Jefferson presented, according to order, a bill, "for paying the wages of the members of the present session of Assembly;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "for forming a new county, out of the counties of Bedford and Henry;" was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "for the removal of the seat of Government;" was read the second time, and ordered to be committed to a committee of the whole House, on Thursday next.

A petition of William Montague, was presented to the House, and read; setting forth, that a negro man slave named Bristol, belonging to him, was caught on his way to Lord Dunmore's fleet, when at Gwyn's Island, and has since been employed in the public service at the lead mines, for which the petitioner has received no compensation; and praying such hire as this House shall think reasonable.

Also, a petition of Travis Tucker; setting forth, that by a mistake of the commissioners, he has been prevented from receiving the value of his property, destroyed in the borough of Norfolk; and praying that the same may be inquired into.

*Ordered*, That the said petitions be referred to the committee of Public Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property in this Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. C. Carter reported, that the committee had, according to order, had the said bill under their farther consideration, and had gone through the same, and made several amendments thereto; which he was ready to report, when the House should think proper to receive them.

*Ordered*, That the said report be received to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to emit a sum of money, for supplying the public exigencies;" and after some time spent therein, Mr. Speaker resumed the chair; and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and also on the bill, "for the better regulation and discipline of the militia," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for punishing persons guilty of certain forgeries," being read,

*Ordered*, That the same be put off till Wednesday next.

*Ordered*, That Messrs. Zane, Thomas Hite, Rose and Callaway, be added to the committee appointed to prepare and bring in a bill "for establishing a Land Office."

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, June 1, 1779.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, respecting the present to Brigadier General Scott; also, for supplying the sufferers at Portsmouth and Suffolk with provisions; and to ballot for a Governor, on this day. And then he withdrew.

*Ordered*, That Mr. Moore have leave to be absent from the service of this House, for the remainder of the session.

An engrossed bill, "for enabling the treasurer to emit a sum of money for supplying the public exigencies," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for enabling the treasurer to emit a sum of money for supplying the public exigencies."

*Ordered*, That Mr. Page do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for prescribing the oath of fidelity, and the oath of certain public officers," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, prescribing the oath of fidelity, and the oath of certain public officers."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate are satisfied with the persons nominated by this House to be ballotted for as Governor; and have none to add. And then he withdrew.

An engrossed bill, "for permitting those who will not take oaths, to be otherwise qualified;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for permitting those who will not take oaths, to be otherwise qualified."

*Ordered*, That Mr. Jefferson do carry the bill to the Senate, and desire their concurrence.

A bill, "for paying the wages of the members of this present session of Assembly," was read the second time, and ordered to be engrossed and read a third time.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate have agreed to the bill, "for fixing the allowance to the members of the General Assembly." And then he withdrew.

The House then, according to the order of the day, proceeded by joint ballot with the Senate, to the choice of a Governor or Chief Magistrate, in the room of Patrick Henry, Esq., who hath resigned; and Messrs. Harvie, Tazewell, Lyne and Robert W. Carter, were appointed a committee, in conjunction with a committee from the Senate, to examine the joint ballot of both Houses. And the committee withdrew.

The committee being returned, Mr. Harvie reported, that they had, according to order, in conjunction with a committee from the Senate, examined the joint ballots of both Houses, and found the numbers to stand as follows:

For Thomas Jefferson, Esq.	55	For the Hon. John Page,	38
General Nelson,	32		

But neither of the persons ballotted for having a majority of both Houses, the House proceeded to ballot between Thomas Jefferson Esq., and the Hon. John Page, who stand foremost.

And Mr. Harvie reported the numbers to stand as follows:

For Thomas Jefferson, Esq.	67	For the Hon. John Page,	61
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*Resolved*, That Thomas Jefferson, Esq. be appointed Governor or Chief Magistrate of this Commonwealth.

*Ordered*, That Mr. Harvie do carry the resolution to the Senate, and desire their concurrence. *24 J. 30.*

*Ordered*, That Messrs. Page, Mason and Garret, be added to the committee of Propositions and Grievances.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, "to sever certain lots from the town of Dumfries, held by William Grayson, gentleman," with an amendment, to which amendment they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Griffin:

MR. SPEAKER,—The Senate have agreed to the bill, "for enabling the treasurer to emit a sum of money for supplying the public exigencies;" and also to the bill, "for prescribing the oath of fidelity, and the oaths of certain public officers;" and to the bill, "for permitting those who will not take oaths, to be otherwise qualified." And then he withdrew.



The Speaker laid before the House, a letter from the Lieutenant Governor, enclosing a letter from Colonel George Rogers Clarke, and other papers; and the same were read and ordered to lie on the table.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, appointing Thomas Jefferson, Esq. Governor or Chief Magistrate, with an amendment, to which amendment they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendment; and the same being read, was agreed to by the House.

*Ordered*, That Mr. Harvie do acquaint the Senate therewith.

*Ordered*, That a committee be appointed to notify to Mr. Jefferson his appointment to be Governor or Chief Magistrate of this Commonwealth; and that Messrs. Harvie, Mason and Baker, be of the said committee.

*Ordered*, That Mr. Harvie do acquaint the Senate therewith.

*Ordered*, That Mr. Lawson have leave to be absent from the service of this House until the 15th instant, Mr. G. Anderson for ten days, and Mr. Richeson till Wednesday se'nnight.

Mr. Charles Carter reported, according to the order of yesterday, the amendments made by the committee of the whole House, to the bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property in this Commonwealth;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where several were again twice read and agreed to by the House; and the farther consideration of the report was adjourned till to-morrow.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have appointed a committee of their body, in conjunction with a committee of this House, to notify to Thomas Jefferson Esq. his appointment to the office of Governor. And then he withdrew.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petitions of divers inhabitants of the county of Stafford, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That so much of the petition of divers inhabitants of the county of Stafford, as prays that the place fixed on by the court of the said county for building their said courthouse may be altered and fixed more central, is reasonable.

*Resolved*, that it is the opinion of this committee, That such other parts of the said petition as prays that commissioners from the adjacent counties may be appointed to ascertain the said centre, and that the place fixed on by the court of the said county of Stafford for holding their sessions until the new courthouse be built, may be altered, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the said county of Stafford in opposition thereto, be rejected.

*Ordered*, That a bill or bills, be brought in pursuant to the first resolution, and that the committee of Propositions and Grievances do prepare and bring in the same.

The House proceeded to consider the amendment proposed by the Senate to the bill, "to sever certain lots from the town of Dumfries, held by William Grayson, gentleman;" and the same being read, was agreed to by the House.

*Ordered*, That Mr. Charles Carter do acquaint the Senate therewith.

Several petitions of divers inhabitants of the counties of Frederick and Berkeley, were presented to the House and read; setting forth, that the present circulating currency has been refused in payment of bills, bonds and mortgages, for debts, to their great inconvenience and injury; and praying that an act may pass to remedy this evil.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for ascertaining the losses, and requiring retribution to the citizens of this Commonwealth, for the depredations of the enemy on private property," being read,

*Ordered*, That the same be put off till Friday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the bill, "for the better regulation and discipline of the militia;" and also on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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### WEDNESDAY, June 2, 1779.

An engrossed bill, "for paying the wages of the members of this present session of Assembly," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for paying the wages of the members of this present session of Assembly."

*Ordered*, That Mr. Richard Lee do carry the bill to the Senate, and desire their concurrence.

*Resolved*, That the discussion of the claim of the Indiana Company, which was appointed to be heard on this day, be put off till Monday next.

Mr. Charles Carter presented, according to order, a bill "to increase the salaries of the clerks to the auditors of public accounts;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Harvie, from the committee appointed, in conjunction with a committee of the Senate, to notify to Thomas Jefferson, Esq. his appointment to be Governor of this Commonwealth, reported, that the committee had, according to order, waited on that gentleman, and notified his appointment, and that he was pleased to return the following answer:

GENTLEMEN,—The honor which the General Assembly have been pleased to confer on me, by calling me to the high office of Governor of this Commonwealth, demands my most grateful acknowledgments, which I desire, through you, gentlemen, to tender to them with the utmost respect. In a virtuous and free State no rewards can be so pleasing to sensible minds, as those which include the approbation of our fellow-citizens. My great pain is, lest my poor endeavors should fall short of the kind expectations of my country. So far as impartiality, assiduous attention, and sincere affection to the great American cause, shall enable me to fulfil the duties of my appointment, so far I may with confidence undertake; for all beyond, I must rely on the wise counsels of the General Assembly, and of those whom they have appointed for my aid in those duties.

To you, gentlemen, I return my particular thanks for the polite terms in which you have been pleased to notify the will of the General Assembly.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the counties of Amelia and Chesterfield, praying that toll gates or turnpikes may be erected at Beville's and Goode's bridge over Appamattox river, to enable the said inhabitants to defray the expenses of building and supporting the said bridges, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Pittsylvania, praying that the owners of mills on the river Banister, may be compelled to make an opening in their dams sufficient for the passage of fish, and that other obstructions in the said river may be removed, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Frederick, praying that a public ferry may be established from the land of T. B. Martin, Esq. where John Nicholas lately lived, in the county of Frederick, across Shenandoah river, to the lands of the Hon. Thomas Lord Fairfax, on the opposite shore, is reasonable.

*Ordered*, That a bill or bills, be brought in pursuant to the third resolution; and that the committee of Propositions and Grievances do prepare and bring in the same.

The House, according to the order of yesterday, resumed the consideration of the amendments made by the committee of the whole House, to the bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property in this Commonwealth;" and the same were again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Lyne reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petitions of divers inhabitants of the county of Stafford, and of the town of Fredericksburg, in the county of Spotsylvania, praying that a public ferry may be established from the lands of Col. Fielding Lewis at the upper end of the said town, over Rappahannock river, to the lands of William Fitzhugh, Esq. on the opposite shore, be rejected.

*Resolved*, that it is the opinion of this committee, That the memorial of the trustees of the town of Falmouth, and of James Hunter and others, in opposition thereto, is reasonable.

A petition of sundry inhabitants of the counties of Botetourt and Montgomery, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the inhabitants of the upper end of Botetourt, and of the lower end of Montgomery, are inconveniently situated to their respective courthouses; that the great extent of the said counties is very injurious to the petitioners; and praying that a new county may be formed, agreeable to the bounds therein expressed.

Also, a petition of Robert Kincade; setting forth, that being uninformed of the law, he neglected to take the oath of allegiance to the State, until the time allowed by the act of Assembly had elapsed, whereby he incurred the penalty of treble rates and taxes; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Richard Henderson and Company, was presented to the House, and read; setting forth, that the grant of lands on the Ohio and Green rivers, made to them by the last Assembly, will be of no immediate advantage



to them, but are at present a heavy expense, as they are situate near two hundred miles from any settlement, and subject to taxation with other lands in this Commonwealth; that promiscuous settlements thereon would be unsafe and impracticable; and praying such indulgence as may be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill, "to adjust the titles of the different claimants to unpatented lands;" that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of William Hughes was presented to the House, and read; setting forth, that he was an officer in the troops of this colony for many years; that the disciplining the old Virginia regiment fell under his care; that he continued in the service until the reduction of the said regiment, in 1762, and during his service met with the misfortune of having his leg broke; and praying such relief as to the House shall appear just.

Also, a petition of Alexander M<sup>r</sup>Roberts; setting forth, that he was appointed clerk to the commissioners of Prince Edward county; that he performed sundry services, and was at considerable expense therein, for which the commissioners refused to pay him; and praying such satisfaction for the same as to the House may seem just.

*Ordered*, That the said petitions be referred to the committee of Public Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled 'an act for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes;'" and that Messrs. Thomas Hite, Baker and Parker, do prepare and bring in the same.

*Ordered*, That Messrs. Munford, Page, Tazewell and Henry, be appointed a committee to present the said resolutions to Mr. Henry.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for the better regulation and discipline of the militia;" also on the bill, "for punishing persons guilty of certain forgeries," being read.

*Ordered*, That the same be put off till Friday next.

*Ordered*, That leave be given to bring in a bill, "for giving farther time to purchasers of lots in the town of Bath to build thereon;" and that Mr. Thomas Hite do prepare and bring in the same.

Mr. Munford, from the committee appointed to wait on Patrick Henry, Esq. and to present him with the resolutions of this House respecting his conduct while Governor of this Commonwealth, reported, that the committee had, according to order, attended Mr. Henry with the same, and that he was pleased to return the following answer thereto:

GENTLEMEN,—The House of Delegates have done me very great honor in the vote expressive of their approbation of my public conduct.

I beg the favor of you, gentlemen, to convey to that honorable House my most cordial acknowledgments, and to assure them that I shall ever retain a grateful remembrance of the high honor they have now conferred on me.

A memorial of Penet, Wendall and Company, was presented to the House, and read; setting forth, that having agreed with Congress for establishing a manufactory of artillery and small arms in some one of the States of Virginia, Maryland, Pennsylvania, and Jersey, they have determined, for many reasons, to prefer this State; and praying that certain advantages may be afforded them by the legislature upon terms and conditions therein expressed.

*Ordered*, That the said memorial be referred to Messrs. Mason, Parker, Henry, Zane, Lyne, Tyler, Baker, Munford, Braxton, General Nelson, Page, Thomas Hite, Thomas Johnson, and Talbot, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Messrs. Peyton, Lyne, and Peachey, be added to the committee of Public Trade.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the state of the Commonwealth under their farther consideration, and agreed to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and agreed to, as followeth:

*Resolved*, That two thousand five hundred volunteers be raised for the better defence of this Commonwealth, to be formed into four battalions of infantry and six troops of horse; and that the Governor, with the advice of the Council, be empowered to embody fifteen hundred militia for the same purpose; the whole to be paid, armed, accoutred, and disciplined, as the other troops raised for the particular service thereof.

*Resolved*, *nemine contra dicente*, that it is the opinion of this committee, That the treaties of alliance and commerce entered into between His Most Christian Majesty of France on the one part, and the Congress of the United States of America on behalf of the said States on the other part, ought to be ratified and confirmed, so far as is in the power of this Commonwealth, and the same are accordingly hereby ratified, confirmed, and declared binding on this Commonwealth.

*Resolved*, That the Governor be desired to notify to the minister of His Most Christian Majesty, resident at Philadelphia, the above ratification under the seal of this Commonwealth.



*Ordered*, That a bill or bills, be brought in pursuant to the first resolution; and that Messrs. Braxton, Mason, Baker, Parker, Harrison of Brandon, Peachey, Munford, Taylor and Lyne, do prepare and bring in the same.

*Ordered*, That Mr. Braxton do carry the second and third resolutions to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House upon the state of the Commonwealth.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, June 3, 1779.

Mr. Charles Carter presented, according to order, a bill "to alter the place for building Stafford courthouse;" and the same was read the first time, and ordered to be read a second time.

Mr. Charles Carter presented, according to order, a bill "for establishing several new ferries," and the same was received and read the first time, and ordered to be read a second time.

A bill, "for fixing the salaries to the clerks of the auditors of public accounts," was read the second time, and ordered to be engrossed and read the third time.

*Resolved*, That no petitions be received by this House after Saturday next.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, to whom the bill, "for forming a new county out of the counties of Bedford and Henry," was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

Mr. Lyne presented, according to order, a bill "for continuing an act, entitled 'an act to empower the Governor and Council to superintend and regulate the public jail;'" also, a bill "for continuing an act, entitled 'an act to empower the Governor and Council to lay an embargo for a limited time;'" also, a bill, "for continuing an act, entitled 'an act appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms;'" also, a bill "for continuing an act, entitled 'an act for giving certain powers to the Governor and Council;'" also, a bill "for continuing an act, entitled 'an act to enable the Governor and Council to supply the armies and navies of the United States, and of their Allies, with grain and flour;'" and the same were received and read the first time, and ordered to be read a second time.

An engrossed bill, "for raising a supply of money for the services of the current year, and for procuring an equal assessment of taxable property in this Commonwealth," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act to amend and explain the acts of General Assembly providing a supply of money for public exigencies."

*Ordered*, That Mr. Charles Carter do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Taylor:

MR. SPEAKER,—The Senate have agreed to the bill, "for paying the wages of the members of this present session of Assembly." And then he withdrew.

A petition of Richardson Owen was presented to the House, and read; setting forth, that he is in possession of an improvement of land, whereon iron works have been begun, on Chesnut creek, in the county of Montgomery, which promise to be of great public utility; that the adjacent land is so mountainous and barren as to be unfit for any other use but iron works, and himself unable to prosecute the works to a sufficient extent, unless assisted by the public; and praying that he may have a grant for such adjacent lands, and for such other encouragement as the House may think proper to afford him.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for the removal of the seat of government;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the bill under their consideration, and gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive them.

*Ordered*, That the said report be received to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

FRIDAY, June 4, 1779.

A message from the Senate by Mr. Bassett :

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act to explain and amend the acts of General Assembly, providing a supply of money for public exigencies.” And then he withdrew.

An engrossed bill, “for forming a new county out of the counties of Bedford and Henry,” was read the third time, and the blanks therein filled up.

The question being put that the said bill do pass,

It passed in the negative.

*Resolved*, That the said bill be rejected.

*Ordered*, That Gen. Nelson have leave to be absent from the service of this House till Monday se’nnight, Mr. Pendleton for the remainder of the session, and Mr. Harvie of Middlesex, till Monday se’nnight.

*Resolved*, That the Governor and Council, be advised immediately to appoint proper persons to proceed on certain lines across the country, from courthouse to courthouse of the several counties, and collect the new levies for the continental army, and convey the same to such places of rendezvous as shall be appointed by the proper continental officer; and that they draw on the treasurer for such sums of money as may be necessary to defray the expenses of marching and subsisting them to such places.

*Ordered*, That Gen. Nelson do carry the resolution to the Senate, and desire their concurrence.

Mr. Page, according to the order of yesterday, reported, from the committee of the whole House, the amendments made to the bill “for the removal of the seat of government;” and he read the same in his place, and afterwards delivered them in at the clerk’s table, where they were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

*Ordered*, That leave be given to bring in a bill “for religious freedom,” and that Messrs. John Harvie, Mason and Baker, do prepare and bring in the same.

A bill, “to alter the place for building Stafford courthouse,” was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, “to continue the act, entitled ‘an act to enable the Governor and Council to lay an embargo for a limited time,’” was read the second time, and ordered to be engrossed and read the third time.

A bill, “for continuing an act, entitled ‘an act to empower the Governor and Council to superintend and regulate the public jail,’” was read the second time, and ordered to be engrossed and read the third time.

*Ordered*, That leave be given to bring in a bill, “for saving the property of the church heretofore by law established,” and that the committee appointed to prepare and bring in a bill “for religious freedom,” do prepare and bring in the same.

Mr. Thomas Hite presented, according to order, a bill “for giving a farther time to the purchasers of lots in the town of Bath, to build thereon;” and the same was received and read the first time, and ordered to be read a second time.

Mr. Thomas Hite presented, according to order, a bill “to amend an act, entitled ‘an act for the more speedily completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes;” and the same was received and read the first time, and ordered to be read a second time.

Mr. John Taylor presented, according to order, a bill “for adjusting the titles of claimants to unpatented lands;” and the same was received and read the first time, and ordered to be read a second time.

A bill, “to continue an act, entitled ‘an act to enable the Governor and Council to supply the armies and navies of the United States, and of their Allies, with grain and flour;” was read the second time, and ordered to be engrossed and read the third time.

A bill, “for continuing an act, entitled ‘an act for giving certain powers to the Governor and Council,’” was read the second time, and ordered to be engrossed and read the third time.

Mr. Lee presented, according to order, a bill, “for disposing of the glebe of Russell parish, and for other purposes;” and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Elzey :

MR. SPEAKER,—The Senate have agreed to the resolutions for ratifying and confirming the treaty with France. And then he withdrew.

A petition of sundry inhabitants of the county and parish of Fluvanna, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the said parish was formerly a part of Saint Anne’s parish, in Albemarle county, and paid their proportion in the purchase of a glebe; that since the division of the parishes, the said glebe has been retained by the parish of Saint Anne, although they are justly entitled to a proportion of the value of the lands, and praying that an act may pass for giving them such proportion.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Lee reported, from the committee of Public Trade, that the committee had, according to order, had under their consideration several petitions to them referred, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same was again twice read, and being amended, were agreed to as followeth :



*Resolved, that it is the opinion of this committee,* That the petition of Winnifred Johnson, praying that she may be reimbursed the expense she was at in sending to the northward for her son John Johnson, who got frost-bitten while in the service of the country, and died before the messenger reached him, is reasonable; and that she ought to be allowed the sum of 135*l*.

*Resolved, that it is the opinion of this committee,* That the petition of Travis Tucker, praying that some compensation may be made him for his property, destroyed in the borough of Norfolk, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of William Hughes be rejected.

*Ordered,* That Mr. Lee do carry the first resolution to the Senate, and desire their concurrence.

Mr. Lee reported, from the committee to whom the petition of Lewis Burwell, jun. was referred, that the committee had, according to order, had the said petition under their consideration, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was read, and is as followeth:

It appears to your committee, from the deposition of John Holdcroft, that in March, 1776, a company of regular soldiers, commanded by Capt. Gibson, were stationed at the ferry houses of the said Burwell, on James river, in the county of James City; that by some accident the said house took fire, and was totally consumed.

It also appears to your committee, from the depositions of Benjamin Powell and Humphrey Harwood, that the said house was worth at least 500*l*., and that there was a garden destroyed, and several out-houses much injured, which could not be repaired for less than 50*l*.

Whereupon, your committee came to the following resolution:

*Resolved, that it is the opinion of this committee,* That the said petition be rejected.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for the better regulation and discipline of the militia," being read,

*Ordered,* That the same be put off till Monday next.

A bill, "for continuing an act, entitled "an act appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms," was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

*Resolved,* That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of a public printer.

*Ordered,* That Mr. Baker do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, upon the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Charles Carter reported, that the committee had according to order, had the state of the Commonwealth under their farther consideration, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House as followeth:

*Resolved, that it is the opinion of this committee,* That those inhabitants of this State who were beyond sea at the commencement of hostilities at Lexington, and have not since by overt act adhered to the public enemy, ought still to be deemed citizens of this Commonwealth, and permitted to return thereto.

*Resolved, that it is the opinion of this committee,* That those inhabitants of this State, who were beyond sea at the commencement of hostilities at Lexington, and have since by overt act adhered to the public enemy, and those who left the State, and joined the subjects of his Britannic Majesty, since the commencement of hostilities, and before the declaration of independence, or the act of General Assembly, subsequent thereto, entitled "an act declaring what shall be treason," ought to be considered as having made their election to be British subjects, aliens to this Commonwealth, and as such ought to be deemed in law and dealt with wheresoever they be found.

*Resolved, that it is the opinion of this committee,* That provision ought to be made by law, for declaring who shall be deemed citizens of this Commonwealth, and for naturalizing foreigners.

*Resolved, that it is the opinion of this committee,* That the estates, real and personal, within this Commonwealth, of all aliens, enemies to this Commonwealth, ought to be sold for the most that can be had, and the money carried into the public treasury, subject to the future direction of the legislature.

*Resolved, that it is the opinion of this committee,* That three commissioners ought to be appointed on the part of this Commonwealth, by joint ballot of both Houses of Assembly, to meet with commissioners appointed on the part of Pennsylvania, to adjust their boundaries, whose proceedings shall be subject to be ratified or disagreed to by this Assembly.

*Ordered,* That a bill or bills, be brought in pursuant to the 1st, 2d, 3d and 4th resolutions, that Messrs. Charles Carter, Mason, Henry, Baker, Lyne, Thomas Hite, Munford and Page, do prepare and bring in the same.

*Ordered,* That Mr. Charles Carter do carry the 5th resolution to the Senate, and desire their concurrence.

*Resolved,* That this House will, to-morrow, again resolve itself into a committee of the whole House, upon the state of the Commonwealth.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for ascertaining the losses, and requiring retribution to the citizens of this Commonwealth, for the depredations of the enemy on private property," being read,

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.



SATURDAY, June 5, 1779.

Mr. Skinker reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, inspected several other bills, and a resolution respecting the French treaties, and found them to be truly enrolled.

*Ordered*, That Mr. Skinker do carry the said bills to the Senate, and desire their concurrence.

A memorial of the court of directors of the hospital for lunatics, idiots, and other persons of unsound minds, was presented to the House, and read; setting forth, that the keeper and matron of the hospital are about to resign on account of the lowness of their salaries, and submitting the matter to the consideration of the General Assembly.

*Ordered*, That the said memorial be referred to the committee of Public Trade; that they do examine the matter thereof; and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. R. W. Carter, have leave to be absent from the service of this House, until Monday se'nnight; Mr. Garland until Tuesday next, and Mr. Row until Monday se'nnight.

A petition of Lawrence Howse, was presented to the House and read; setting forth, that in August, 1778, he was appointed to apprehend deserters from the continental army; in consequence of which he apprehended several, and in doing it incurred an expence of 11*l.* 15*s.* 6*d.* which the auditors have refused to allow; and praying that the said sum may be reimbursed him.

*Ordered*, That the said petition do lie on the table.

A petition of sundry inhabitants of the county of Culpeper, whose names are thereunto subscribed, was presented to the House and read; setting forth, that they suffer great inconvenience on account of their remote situation from the courthouse, and are put to considerable expense and hardship in attending general musters, &c., and praying that the said county may be divided into three distinct counties, by certain lines therein expressed.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. John Rose be added to the committee appointed to prepare and bring in a bill "for religious freedom."

An engrossed bill, "for continuing an act, entitled 'an act, for giving certain powers to the Governor and Council,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for continuing an act, entitled 'an act, for giving certain powers to the Governor and Council.'"

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for continuing an act, entitled 'an act, to enable the Governor and Council, to supply the armies and navies of the United States, and of their Allies, with grain and flour,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for continuing an act, entitled 'an act, to enable the Governor and Council to supply the armies and navies of the United States, and of their Allies, with grain and flour.'"

*Ordered*, That Mr. Charles Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for continuing an act, entitled 'an act, to authorise the Governor and Council to superintend and regulate the public jail,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for continuing an act, entitled 'an act to authorise the Governor and Council to superintend and regulate the public jail.'"

*Ordered*, That Mr. Charles Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for continuing the act, entitled 'an act, to empower the Governor and Council to lay an embargo for a limited time,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for continuing an act, entitled 'an act, to empower the Governor and Council to lay an embargo for a limited time.'"

*Ordered*, That Mr. Charles Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for increasing the salaries of the clerks to the auditors of public accounts," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for increasing the salaries of the clerks to the auditors of public accounts."

*Ordered*, That Mr. Charles Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for the removal of the seat of government," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for the removal of the seat of government."

*Ordered*, That Mr. Charles Carter do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Elzey:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, to proceed by joint ballot this day to the choice of a public printer.

They have also, inspected several enrolled bills, and a resolution, and find them to be truly enrolled, and their Speaker has signed them. And then he withdrew.

A petition of George Croghan, was presented to the House, and read; setting forth, that in consequence of pub-

lic notice given to all claimants of back lands to appear at the present session, and make known their pretensions, he is attending for that purpose; and praying to be heard in support thereof.

*Ordered*, That the said George Croghan be heard on the said claim on Tuesday next.

*Ordered*, That leave be given to bring in a bill, "to secure the property of those who have joined the enemy;" and that Messrs. Parker, Mason and Baker, do prepare and bring in the same.

Several letters and memorials of the officers belonging to the regiment of artillery, in the service of this State, were presented to the House, and read; setting forth, the many disadvantages and inconveniences they labor under, and praying redress.

*Ordered*, That the said letters and memorials be referred to the committee of the whole House, upon the state of the Commonwealth.

*Resolved*, That a person be appointed to print the Journals of the General Assembly, the proclamations and orders of the Governor and Council, and all tobacco and inspectors notes and manifests; and that one other be appointed to print the acts of General Assembly.

*Ordered*, That Mr. Baker do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, respecting commissioners to adjust the Pennsylvania boundary, with an amendment; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment, and the same being read, was agreed to by the House.

*Ordered*, That Mr. Baker do acquaint the Senate therewith.

Mr. Braxton presented, according to order, a bill, "for raising a body of troops for the defence of the Commonwealth;" and the same was received and read the first time, and ordered to be read a second time.

Mr. John Taylor presented, according to order, a bill, "for establishing a Land Office, and ascertaining the terms and manner of granting waste and unappropriated lands;" and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, respecting the arrangement of the public printing business. And then he withdrew.

The House then proceeded, according to the order of the day, by joint ballot with the Senate, to the appointment of a public printer; and Messrs. Baker, Innes, Tazewell and Carter, were appointed a committee, in conjunction with a committee from the Senate, to examine the joint ballot of both Houses. And the committee withdrew.

The committee being returned, Mr. Baker reported, that they had, according to order, met a committee from the Senate in the conference chamber, and in conjunction with them, had examined the joint ballots of both Houses, and found a majority therein in favor of Messrs. Clarkson and Davis.

*Resolved*, That Messrs. Clarkson and Davis, be appointed to print the Journals of the General Assembly, the proclamations and orders of the Governor and Council, and all tobacco and inspectors notes and manifests.

*Ordered*, That Mr. Charles Carter do carry the resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Griffin:

MR. SPEAKER,—The House have agreed to the resolutions respecting the appointment of public printers. And then he withdrew.

A petition of John Fox, was presented to the House, and read; setting forth, that he was the purchaser of a tract of land, of which John Rootes and Sarah his wife, were seised entaille, which was cut off by an act of Assembly; that three trustees were directed to make the title, but only one is now living; and praying that an act may pass, authorising the survivor to convey the same.

*Ordered*, That a bill be brought in pursuant to the prayer of the said petition; and that Messrs. Mason, Henry, and Harvie, do prepare and bring in the same.

The Speaker signed three enrolled bills, "for prescribing the oath of fidelity, and the oaths of certain public officers;" "paying the wages of the members of this present session of Assembly;" and, "to explain and amend the acts of General Assembly providing a supply of money for public exigencies." And the resolution respecting the French treaty.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for continuing an act, entitled 'an act, appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery, to appoint their own serjeant at arms," being read,

*Ordered*, That the same be put off till Wednesday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for the better regulation and discipline of the militia," being read,

*Ordered*, That the same be put off till Tuesday next.

The order of the day, for the House to resolve itself into a committee of the whole House, upon the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, June 7, 1779.

A bill, "for settling the title of claimants to unpatented lands;" was read the second time, and ordered to be committed to a committee of the whole House to-morrow.

A bill, "for establishing a Land Office, and ascertaining the terms and manner of granting waste and unappropriated lands;" was read a second time, and ordered to be committed to a committee of the whole House, on Wednesday next.

*Ordered*, That leave be given to bring in a bill, "constituting a Court of Admiralty;" and that Mr. Tazewell do prepare and bring in the same.

*Ordered*, That a message be sent to the Senate, to inform them that this House are about to proceed to the discussion of the claim of the Indiana Company, and to invite them to take seats in this House during the same; and that Mr. Tazewell do carry the said message.

The House then proceeded, according to the order of the day, in presence of the Senate, to the discussion of the claim of the Indiana Company, and some progress being made therein, but there not being time to go through the same,

*Ordered*, That the farther discussion thereof be put off till to-morrow.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for the dissolution of vestries;" and upon the bill, "for the better regulation and discipline of the militia;" being read,

*Ordered*, That the same be put off till Thursday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, upon the bill, "for punishing persons guilty of certain forgeries;" and upon the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

TUESDAY, June 8, 1779.

Two other members, having taken the oath required by law, took their seats in the House.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, "for continuing an act, for giving certain powers to the Governor and Council."

Also, to the bill, "for continuing 'an act, to empower the Governor and Council to lay an embargo for a limited time.'"

Also, to the bill, "for continuing 'an act, to empower the Governor and Council to superintend and regulate the public jail.'"

Also, to the bill, "for continuing 'an act, to enable the Governor and Council to supply the armies and navies of the United States, and of their Allies, with grain and flour.'" And then he withdrew.

*Ordered*, That Mr. Mitchell, have leave to be absent from the service of this House, for the remainder of the session.

The Speaker laid before the House, a letter from the Governor, enclosing several resolutions of Congress, and the same were read, and ordered to be referred to the committee of the whole House, on the state of the Commonwealth.

Mr. Tazewell reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration the petition of Elizabeth Flood, widow of Dr. Nicholas Flood, deceased, to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, that Archibald McCall, left this State for Great Britain in the month of September, 1775; that previous to his departure he had not done any thing inimical to the American cause; that he had signed the association; and that his whole property lies in Virginia, consisting of a considerable real and personal estate.

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the petition of the said Elizabeth Flood, praying that her son-in-law, the said Archibald McCall, together with her grand daughter, may be permitted to return to, and reside in this State, is reasonable.

*Ordered*, That the said report and resolution be referred to the committee of the whole House, upon the state of the Commonwealth.

*Ordered*, That Thomas Walker Esq. be desired to attend this House, to give testimony respecting the claim of the Indiana Company.

The House then proceeded, in presence of the Senate, according to the order of the day, to the discussion of the claim of the Indiana Company; and Mr. Walker having attended, and being sworn and examined, the House made a farther progress therein, but there not being time to go through the same,

*Ordered*, That the farther discussion thereof be put off till to-morrow.



The orders of the day, for the House to resolve itself into a committee of the whole House, upon the state of the Commonwealth, and upon the bills, "for ascertaining the losses, and requiring retribution to the citizens of this Commonwealth, for the depredations of the enemy on private property;" and "for punishing persons guilty of certain forgeries," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, upon the bill, "for settling the titles of claimers to unpatented lands, previous to the establishment of the Commonwealth's land office," being read,

*Ordered*, That the same be put off till Thursday next.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER.—The Senate have inspected two other enrolled bills, and find them to be truly enrolled, and their Speaker has signed them. And then he withdrew.

The Speaker then signed two enrolled bills, "to authorise certain trustees to pay to William Todd, gentleman, the money arising from the sale of lands, and for other purposes;" and "for fixing the allowance of the members of the General Assembly."

*Ordered*, That the chaplain of this House be directed to attend to read prayers at seven o'clock every morning; and that Mr. Charles Carter do acquaint the Senate therewith.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, June 9, 1779.

Another member, having taken the oath required by law, took his seat in the House.

The Speaker laid before the House a letter from the Governor, enclosing one from the President of Congress, with an address to the people on the subject of taxation; and the same being read,

*Ordered*, That the said address be published in the Virginia Gazette, and that the letters do lie on the table.

A memorial of George Croghan, was presented to the House, and read; setting forth, that in the year 1749, he purchased three tracts of land on the Ohio, of the Six Nations, which have since been confirmed to him by a ratification of his title on the part of the said Indians in the year 1778, and also by express provision in the deed of cession made to the King of Great Britain, under the former government, at the treaty of Fort Stanwix; praying that the same may now be confirmed by the present Assembly, and an order of survey granted him for the same.

*Ordered*, That the said memorial do lie on the table.

Mr. Tabb presented to the House, the resignation of Thomson Mason, Esq. a member for the county of Elizabeth City, and the same was read, and is as follows:

"Whereas, the freeholders of Elizabeth City county have done me the honor, of choosing me one of their representatives in the House of Delegates in this present Assembly, and it being from a number of concurrent circumstances very inconvenient, and almost impracticable for me to attend my duty in the House this present Assembly, and I having also removed with my family out of the said county of Elizabeth City, of which I am no longer a resident; in conformity to a former precedent established in the case of Mr. Poythress, a representative of Prince George county; I do hereby resign my seat, and decline acting as a delegate in this present Assembly, for the said county of Elizabeth City.

"Given under my hand and seal, this 10th day of June, 1779.

THOMSON MASON."

A motion was made, and the question being put, that the said resignation be accepted,

It passed in the negative.

The House then proceeded, in the presence of the Senate, according to the order of the day, to the discussion of the claim of the Indiana Company, and Messrs. Duval and Innes of Yohogania, members of this House, being sworn and examined, the House, after having gone through the same, came to the following resolutions thereupon:

*Resolved*, That the Commonwealth of Virginia hath the exclusive right of a pre-emption, from the Indians, of all lands within the limits of its own chartered territory, as declared by the act and constitution of government in 1776, that no person or persons whatsoever have, or ever had, a right to purchase any lands within the same from any Indian nation, except only persons duly authorised to make such purchases on the public account, formerly for the use and benefit of the colony, and lately of the Commonwealth; and that such exclusive right of pre-emption will, and ought to be, maintained by this Commonwealth to the utmost of its power.

*Resolved*, That every purchase of lands heretofore made by the King of Great Britain from any Indian nation or nations, within the before-mentioned limits, doth and ought to ensure for ever to and for the use and benefit of this Commonwealth, and to and for no other use or purpose whatsoever.

*Resolved, therefore*, That the deed from the six united nations of Indians, bearing date on the third day of November, 1768, for certain lands between the Alleghany mountains and the river Ohio, above the mouth of the little Kanawha creek, to and for the use and benefit of a certain William Trent, gentleman, in his own right, and as attorney for sundry persons in the said deed named, as well as all other deeds which have been or shall be made by any

Indian or Indians, or by any Indian nation or nations, for lands within the limits of the charter and territory of Virginia as aforesaid, to or for the use or benefit of any private person or persons, shall be, and the same are hereby declared utterly void, and of no effect.

*Ordered*, That Mr. George Mason do carry the resolutions to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for continuing an act, entitled 'an act appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms,'" being read,

*Ordered*, That the same be put off till Saturday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and upon the bills, "for establishing a land office;" "for ascertaining the losses, and requiring retribution to the citizens of this Commonwealth, for the depredation of the enemy on private property;" and "for punishing persons guilty of certain forgeries," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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THURSDAY, June 10, 1779.

A memorial of Isaac Hite, which had been presented to the auditors of public accounts, and was by them referred to the House for their advice thereupon, was read; setting forth, that while in the militia service under Capt. John Todd, at Boonsborough, he was wounded in his right shoulder, in an engagement with the Indians, spent upwards of 400*l.* in effecting his cure, and is now unable to obtain a livelihood by labor.

*Ordered*, That the said memorial be referred to the committee of Public Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Richard Lee reported, from the committee of Public Trade, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of William Montague; setting forth, that a negro man slave named Bristol, belonging to him, was caught on his way to Lord Dunmore's fleet when at Gwyn's Island, and has since been employed in the public service at the lead mines; and praying some compensation may be made him for the hire of the said negro, is reasonable.

*Resolved*, that it is the opinion of this committee, That the said William Montague, ought to be allowed and paid the hire of his said negro, in the following manner, to wit: from the 16th day of July, 1776, the time he was sent to the lead mines, to the 1st day of January, 1777, at the rate of eight pounds per annum; for the year 1777, ten pounds; for the year 1778, twenty pounds; and for the year 1779, sixty pounds.

*Resolved*, that it is the opinion of this committee, That the said negro at the expiration of the present year be returned to his master at the expense of the country.

*Resolved*, that it is the opinion of this committee, That the petition of Alexander M<sup>r</sup>Roberts, praying a farther allowance may be made him for his services as clerk to the commissioners of the tax in the county of Prince Edward, be rejected.

*Ordered*, That Mr. Richard Lee do carry the 1st, 2d and 3d resolutions to the Senate, and desire their concurrence.

Mr. Parker presented, according to order, a bill "to secure the moveable property of those who have joined or hereafter may join the enemy;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Charles Carter presented, according to order, a bill "to displace the trustees of the town of Staunton, and for other purposes therein mentioned;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Braxton presented, according to order, a bill "for obliging the several delinquent counties in this Commonwealth to furnish every twenty-fifth man of their militia;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the inhabitants of the town of Winchester; setting forth that they are subject to many inconveniences for want of a power to regulate the affairs of the said town, which would be remedied if they were to be erected into a corporation, and praying that the same may take place, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of Richardson Owen; setting forth, that he

is in possession of an improvement of land in the county of Montgomery, whereon iron works are begun; that the land adjacent thereto is very mountainous, and unfit for any use but iron works; and praying that he may have a grant for a sufficient quantity of such adjacent land, clear of any expense, for the purpose of carrying on the said works, is reasonable; and that he ought to be allowed five thousand acres of land exclusive of the said improvement, which he claims by right of settlement, on condition the said works are completed by the 1st day of June, 1786, otherwise the said lands shall revert to the Commonwealth.

*Resolved*, that it is the opinion of this committee, That the petition of Sarah Swearingen, widow of Thomas Swearingen, deceased, praying that so much of an act of Assembly passed the last session, as establishes a ferry from the land of Abraham Shepherd, in the county of Berkeley, over Potomac river, may be repealed, is reasonable; it appearing to the committee, that a ferry was by a former act of Assembly established from the same lands in the name of the said Thomas Swearingen, who was then, and the said petitioner as his widow, is still in possession thereof.

*Ordered*, That a bill or bills, be brought in pursuant to the first and second resolutions; and that the committee of Propositions and Grievances do prepare and bring in the same.

A motion was made, and the question being put that the third resolution be recommitted to the same committee, It was resolved in the affirmative.

A message from the Senate by Mr. Matthews:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act to increase the allowance to the clerks of the auditors of public accounts,” with an amendment; to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution of this House for paying Winnifred Johnson a certain sum of money. And then he withdrew.

A bill, “for establishing several new ferries,” was read a second time, and ordered to be committed to the committee of Propositions and Grievances.

Mr. Tazewell presented, according to order, a bill “constituting the court of Admiralty;” and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That Mr. Hooe be added to the committee of Propositions and Grievances.

The House proceeded to consider the amendments made by the Senate to the bill, entitled “an act to increase the allowance to the clerks of the auditors of public accounts.”

And the same was read and disagreed to.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration a bill “to alter the place for building Stafford courthouse,” and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and being amended were agreed to by the House.

*Ordered*, That the said bill, with the amendments, be engrossed and read the third time.

*Ordered*, That leave be given to bring in a bill, “for discouraging extensive credits, and repealing the act prescribing the method of proving book debts;” and that Mr. Mason do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, “constituting the Court of Appeals;” and that Messrs. Tazewell, Mason and Tyler, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, “for giving salaries to certain officers of government;” and that Messrs. Tazewell, Mason and Tyler, do prepare and bring in the same.

Mr. Mason presented, according to order, a bill “for discouraging extensive credits, and repealing the act prescribing the method of proving book debts;” and the same was received and read the first time, and ordered to be read a second time.

Mr. Tazewell presented, according to order, a bill “constituting the Court of Appeals;” and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, “for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth’s land office;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

Mr. Baker presented, according to order, a bill “to amend an act, entitled, ‘an act for reviving several public warehouses for the inspection of tobacco;’” and the same was received and read the first time, and ordered to be read a second time.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills, “for the dissolution of vestries;” and “for ascertaining the losses, and procuring retribution to the citizens of this Commonwealth for the depredations of the enemy on private property,” being read,

*Ordered*, That the same be put off till Monday next.



The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and also, on the bills "for the better regulation and discipline of the militia;" and "for punishing persons guilty of certain forgeries," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House on the bill, "for establishing a land office, and ascertaining the terms and manner of granting waste and unappropriated land;" being read,

*Ordered*, That the same be put off till Saturday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, June 11, 1779.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have inspected several other enrolled bills, and find them to be truly enrolled, and their Speaker has signed them. And then he withdrew.

The Speaker then signed four enrolled bills, "to sever certain lots from the town of Dumfries, belonging to William Grayson, gentleman;" "to enable the treasurer to emit a farther sum of money;" "to permit those who refuse to take oaths to be otherwise qualified;" and "for the annual appointment of delegates to Congress."

*Ordered*, That the printer of the laws do furnish each acting magistrate, and every county and corporation clerk throughout this Commonwealth, with one copy of the laws.

An engrossed bill, "to alter the place of building Stafford courthouse," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to empower the justices of Stafford county to fix on a proper place for erecting their courthouse."

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "to empower the justices of Nansemond county to hold courts at such place as they shall appoint;" and that Mr. Brickell do prepare and bring in the same.

A message from the Senate by Mr. Rutherford:

MR. SPEAKER,—The Senate have agreed to a resolution of this House for appointing Messrs. Dixon and Nicholson, printers of the acts of Assembly. And then he withdrew.

A bill, "for raising a body of troops for the defence of the Commonwealth," was read a second time, and ordered to be committed to a committee of the whole House on Tuesday next.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate have agreed to a resolution of this House for paying 65*l.* to Edward Archer. And then he withdrew.

A bill, "for obliging the several delinquent counties within this Commonwealth to furnish every twenty-fifth man of their militia," was read a second time, and ordered to be committed to a committee of the whole House on Wednesday next.

A bill, "for disposing of the glebe of Russell parish, and for other purposes," was read a second time, and ordered to be engrossed and read a third time.

A bill, "for allowing the proprietors of lots in the town of Bath a farther time to build thereon," was read a second time, and ordered to be engrossed and read a third time.

A bill, "to amend an act, entitled 'an act for the more speedy completing the quota of troops to be raised in this Commonwealth for the continental army, and for other purposes,'" was read a second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "to amend an act, entitled an act for reviving several public warehouses for the inspection of tobacco," was read a second time, and ordered to be committed to a committee of the whole House on Monday next.

A bill, "for discouraging extensive credits, and repealing the act prescribing the method of proving book debts," was read a second time, and ordered to be committed to a committee of the whole House on Monday.

A bill, "to displace the trustees of the town of Staunton, and for other purposes," was read a second time, and ordered to be engrossed and read a third time.

A bill, "to secure the moveable property of those who have joined or hereafter may join the enemy," was read a second time, and ordered to be committed to a committee of the whole House on Monday next.

A bill, "constituting the Court of Admiralty," was read a second time, and ordered to be committed to a committee of the whole House on Wednesday next.

A bill, "constituting the Court of Appeals," was read a second time, and ordered to be committed to a committee of the whole House on Wednesday next.

The General Assembly having at their last session resolved that Kitt, a negro man slave belonging to Hinchia Mabry, should be sequestered from his said master until this present session, he having made known certain forgeries, which might have exposed his life to danger from the accused; and that the said Hinchia Mabry should at this present session shew cause why the said Kitt should not be absolutely sequestered from him.

*Ordered*, That a committee be appointed to inquire into the propriety of absolutely sequestering the said negro man slave named Kitt, from the said Hinchia Mabry, pursuant to the order of the General Assembly at the last session. And a committee was appointed, of Messrs. Mason, Harvey and Henry.

*Ordered*, That Messrs. Lomax and Skinker, have leave to be absent from the service of this House, for the remainder of the session.

*Resolved*, That this House will, on Thursday next, proceed by joint ballot with the Senate, to remove two of the Privy Council, agreeable to the Constitution; to elect two members of the Privy Council, in the room of those so removed; five members of the Board of War; three members of the Board of Trade; four delegates to represent this Commonwealth in General Congress, in the room of Francis Lightfoot Lee, Thomas Adams, Richard Henry Lee, and Thomas Nelson, jun. Esquires, who have resigned; a commissary of prisoners; and a clothier to the troops of this Commonwealth.

*Ordered*, That Mr. Charles Carter do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Charles Carter presented, according to order, a bill, "empowering certain persons to convey the land whereof Sarah, the wife of John Rootes was seised, to the purchaser in fee simple;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "for empowering certain persons to convey the land whereof Sarah, the wife of John Rootes, was seised, to the purchaser in fee simple," was read a second time, and ordered to be committed to Messrs. Carter, R. Lee and Munford.

*Resolved*, That the Governor and Council shall, and they are hereby empowered and required, to settle the accounts of the public jailer, from the 20th day of December 1777, until the first day of January 1779, in the same manner as they are now by law authorised and required to do, from the said first day of January last.

*Ordered*, That Mr. Tazewell do carry the said resolution to the Senate, and desire their concurrence.

*Resolved*, That Messrs. Dixon and Nicholson procure and furnish paper for printing the laws of this Commonwealth; and that the treasurer advance them so much money as may be necessary for that purpose.

*Ordered*, That Mr. Baker do carry the said resolution to the Senate, and desire their concurrence.

Mr. Brickell presented, according to order, a bill "to empower the justices of Nansemond county to hold courts at such place as they shall appoint;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Lyne reported, from the committee for Courts of Justice, that the committee had, according to order, had under their consideration, a bill "concerning escheators," to them committed, and had gone through the same, and made an amendment thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Ordered*, That the bill, with the amendment be engrossed, and read a third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth's Land Office;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, they directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and upon the bill "for punishing persons guilty of certain forgeries," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for the better regulation and discipline of the militia," being read,

*Ordered*, That the same be put off till Monday next.

A message from the Senate by Mr. Matthews:

MR. SPEAKER,—The Senate do insist on their amendment to the bill, "to increase the salaries to the clerks of the auditors of public accounts," and desire this House to recede from their disagreement thereto. And then he withdrew.

And then the House adjourned till to-morrow morning, 9 o'clock.

SATURDAY, June 12, 1779.

*Ordered*, That Messrs. John Washington, Thomas Hite, John A. Washington, Brickell, Wilson and James Johnson, have leave to be absent from the service of this House for the remainder of the session.

An engrossed bill, "for disposing of the glebe of Russell parish, and for other purposes," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act for disposing of the glebe of Russell parish, and for other purposes."

*Ordered*, That Mr. Carrington do carry the said bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate have agreed to a resolution of this House for balloting for certain officers on Thursday next.

They have also agreed to a resolution authorising the Governor and Council to settle the accounts of the public jail, with an amendment; to which they desire the concurrence of this House. And then he withdrew.

An engrossed bill, "for giving the purchasers of lots in the town of Bath a farther time to build thereon;" was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, for giving the purchasers of lots in the town of Bath, a farther time to build thereon."

*Ordered*, That Mr. Thomas Hite do carry the said bill to the Senate, and desire their concurrence.

Mr. John Harvie presented, according to order, a bill, "for religious freedom;" and the same was received and read the first time, and ordered to be read a second time.

Mr. John Harvie presented, according to order, a bill, "for saving the property of the church heretofore by law established;" and the same was received and read the first time, and ordered to be read a second time.

An engrossed bill, "to displace the trustees of the town of Staunton, and for other purposes therein mentioned;" was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, to displace the trustees of the town of Staunton, and for other purposes therein mentioned."

*Ordered*, That Mr. Carter do carry the said bill to the Senate, and desire their concurrence.

A bill, "to empower the justices of Nansmond county to hold courts at such places as they shall appoint;" was read a second time, and ordered to be engrossed and read a third time.

The House proceeded to consider the amendment made by the Senate, to the bill, entitled "an act, to increase the salaries of the clerks to the auditors of public accounts," to which this House had disagreed, and on which the Senate insisted; and the same being read, the House receded from their disagreement thereto.

*Ordered*, That Mr. Carter do acquaint the Senate therewith.

*Ordered*, That the committee to whom the bill, "to empower the justices of Spottsylvania county to make sale of their late courthouse" was committed, be discharged from proceeding thereon, and that the consideration of the same be deferred to the next session of Assembly.

The House proceeded to consider the amendment made by the Senate, to the resolution respecting the settlement of the jailor's accounts; and the same being read, was agreed to.

*Ordered*, That Mr. Tazewell do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for punishing persons guilty of certain forgeries;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that they had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House.

*Ordered*, That the said bill, with the amendment, be engrossed and read a third time.

An engrossed bill, "concerning escheators," was read a third time.

*Resolved*, That the bill do pass, and that the title be, "an act concerning escheators."

*Ordered*, That Mr. Baker do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for adjusting and settling the titles of claimers to unpatented lands, under the present and former government, previous to the establishment of the Commonwealth's land office;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, on the said bill.

*Ordered*, That leave be given to bring in a bill, "to repeal an act, entitled 'an act to prohibit the distillation of spirits from corn, wheat, rye, and other grain, for a limited time;' and that Messrs. Carter and Garrard do prepare and bring in the same.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House respecting the claim of the Indiana Company. They have also agreed to the bill, entitled "an act, for the removal of the seat of government," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendments made by the Senate, to the bill, entitled "an act, for the removal of the seat of government;" and the same being read, were agreed to.

*Ordered*, That Mr. Harvie do acquaint the Senate therewith.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of



the Commonwealth, and on the bills, "for continuing an act, entitled 'an act appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms,' and "for establishing a land office, and ascertaining the terms and manner of granting waste and unappropriated lands," being read,

*Ordered*, That the same be put off till Monday next.

*Resolved*, That the General Assembly have a high sense of Col. Clarke's important services in the reduction of Fort St. Vincent's; that the Governor be requested to transmit to him, by the hands of Lieutenant Rogers, an elegant sword, in acknowledgment of the active and distinguished part he took in that expedition.

*Resolved*, That the treasurer be directed to pay two hundred pounds to Lieutenant Rogers, as an acknowledgment from the General Assembly for the active and distinguished part he has taken in the expedition against Fort St. Vincent's.

*Ordered*, That Mr. Munford do carry the said resolutions to the Senate, and desire their concurrence.

And then the House adjourned till Monday morning, 9 o'clock.

MONDAY, June 14, 1779.

A message from the Senate by Mr. Ellzey :

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act concerning officers, soldiers, sailors, and marines," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

A petition of John Ballendine was presented to the House, and read; setting forth, that in consequence of the act of Assembly, for removing the obstructions in Potomac and James rivers, and at the intercession of many persons who were greatly interested in the completion of the works, he embarked for England in order to qualify himself for carrying it on, and on his return brought over with him a number of skilful engineers and mechanics, and purchased a great variety of machines and utensils necessary for such a business; that the several gentlemen who had subscribed for his support in England, failing to pay their respective contributions, the petitioner obtained leave to take the work upon his own hands from the trustees for James river, and has cut a canal as far as his own land would reach along the river side, and fixed the lock-gates secure from freshes; that he has expended near twenty thousand pounds about the said business; and praying that he may have all the rights and privileges which were vested in the said trustees, confirmed to him and his heirs, and also that a toll may be fixed on all commodities going down the said canal, and that the boring mill may be repaired.

*Ordered*, That the said petition be referred to Messrs. Mason, Parker, Henry, Zane, Tyler, Baker, Munford, Page, Z. Johnson, and Talbot; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Ellis, agent for William Lee, Esq. was presented to the House, and read; setting forth, that several lots and houses belonging to his principal have been much injured while occupied by the soldiery; and praying compensation for the same.

Also, a petition of William Black; setting forth, that the public would be greatly benefitted by the establishment of a ferry from his land in the county of Chesterfield, to the land of Charles Lewis, below the mouth of Gillen's creek, in the county of Henrico; and praying that one may be accordingly established.

Also, a petition of Thomas Mann Randolph; setting forth, that there has been a ferry established for some time from his land in the county of Henrico, called Verina, to the land of Richard Batt, in the county of Chesterfield; that the said ferry has not been frequented since the alteration of the roads; and praying that it may be discontinued.

*Ordered*, That the said petitions be deferred to the consideration of the next Assembly.

A petition of Travis Tucker, was presented to the House, and read; setting forth, that a house belonging to him in Norfolk borough, was destroyed in the general ruin, the valuation of which has either been lost or mislaid; and praying compensation for the same.

Also, a petition of Alexander Love; setting forth, that he had a considerable quantity of property destroyed in Norfolk and Portsmouth, which he was not able to prove when the commissioners met who were to adjust such claims; that he is now prepared with authentic documents; that he has lately erected a brewery and distillery, which would be of great public utility but for the law which prohibits the distillation of grain; and praying that compensation may be made made him for his said losses, [Here the copy was defective.]

*Ordered*, That the said petition be referred to Messrs. Innes of York, Brown, Ball, Baker, Tabb, and James Taylor; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Frederick, whose names are thereunto subscribed, was presented to the House and read; setting forth, that the law which authorises military substitutes has been greatly abused, and praying that steps may be taken to remedy the evil consequences thereof.

*Ordered*, That the said petition be referred the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of Edmund Pendleton and Peter Lyons, Esquires, administrators of the estate of John Robinson,

deceased, was presented to the House, and read; setting forth, that by an act of General Assembly, passed in the year 1757, the sum of 5,000*l.* was directed to be invested in the purchase of goods for carrying on an Indian trade; for which sum the said John Robinson, then treasurer, took credit in his general account, and was debited the same in a distinct account as an appropriation of that sum, for the purpose of carrying on the said trade, which was directed to be discontinued by an act passed in the year 1760.

That Mr. Robinson having been allowed for sundry payments made in the course of the trade, there appeared at his death, a balance of 2,500*l.* due from him on that account, which was charged to and made part of the great debt due from his estate to the public. That in adjusting the accounts between that estate and the late Hon. William Byrd, Esq. it appears that Mr. Charles Turnbull, agent for Colonel Byrd, and who had furnished a quantity of goods for the Indian trade, did on the 24th day of June, 1758, discount with Mr. Robinson the sum of 1,500*l.*, with which the account of that trade should have been debited, and Col. Byrd hath had credit for it in his private account with Mr. Robinson, as Mr. Turnbull represents, and will prove to the satisfaction of this House. But for this sum of 1,500*l.* neither the sum of 400*l.* paid in cash to Mr. Turnbull, in May, 1769, had Mr. Robinson credit in his account with the public, as will appear by the said accounts settled from 1758 to 1775 inclusive, and may be recurred to in the hands of the treasurer; and praying that the said estate may be allowed credit for the amount of the said two sums and the interest thereon, out of the debt due to the public.

*Ordered*, That the said memorial be referred to the board of auditors of public accounts; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill, "for establishing religious freedom," was read a second time.

A motion was made, and the question being put, that the third reading of the said bill be put off till the first day of August next,

It was resolved in the affirmative.

A motion was made, and the question being put, that the bill, "for saving the property of the church heretofore by law established," be read a second time on the 1st day of August next,

It was resolved in the affirmative.

An engrossed bill, "for punishing persons guilty of certain forgeries," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act for punishing persons guilty of certain forgeries, and for fixing the allowance to sheriffs, veniremen, and witnesses, in certain cases."

*Ordered*, That Mr. Carter do carry the said bill to the Senate, and desire their concurrence.

An engrossed bill, "to empower the justices of Nansemond county, to hold courts at such place as they shall appoint," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act to empower the justices of Nansemond county to hold courts at such places as they shall appoint, and for other purposes."

*Ordered*, That Mr. Wills do carry the said bill to the Senate, and desire their concurrence.

The House proceeded to consider the amendments made by the Senate, to the bill, entitled "an act concerning officers, soldiers, sailors, and marines;" and the same being read were agreed to, with several amendments.

*Ordered*, That Mr. Carter do acquaint the Senate therewith, and desire their concurrence to the amendments of this House to their amendments.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the country of Rockingham, praying that part of the county of Augusta, may be added to and made part of the said county of Rockingham, is reasonable; and that the same ought to be done by a line to begin in the Rockingham line, on the top of the North mountain, thence along the said mountain to the North river gap, thence in a direct line to a large hickory, on the brow of the cave hill above the South river, opposite to the upper end of Benjamin Earley's plantation, thence a straight line so as to strike the said Earley's house to the Albemarle line on the South mountain.

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the said county of Augusta, in opposition thereto, be rejected.

*Resolved*, that it is the opinion of this committee, That the consideration of the petitions of sundry inhabitants of the county of Culpeper, praying that the said county may be divided into three distinct counties, be referred to the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the county of Augusta, praying that part of the said county may be added to, and made part of the county of Monongalia, is reasonable; and that the same ought to be done by a line to begin at the dividing ridge, between the waters of Elk and Little Kanawha rivers, and running thence till it intersects the ridge between the Western fork of Monongalia and Elk rivers, thence with the said dividing ridge to the ridge dividing the waters of Tyger's Valley and Buchanan Prong of the Monongalia, thence with the said ridge to the intersection of the said Tyger's Valley Prong by the said ridge, thence with the said ridge to the old line on the ridge between the waters of Tyger's Valley Prong, and those of Cheat river, and thence with the said ridge to the ridge that divides Cheat river and Greenbrier.



*Resolved, that it is the opinion of this committee,* That the consideration of the several petitions from sundry inhabitants of the county of Augusta, praying a division of the said county, be referred to the next session of Assembly.

*Resolved, that it is the opinion of this committee,* That the consideration of the petition of sundry other inhabitants of the said county in opposition thereto, be referred to the next session of Assembly.

The committee have also had under their consideration, the petition of sundry inhabitants of the town of Charlottesvile, to them recommended; and have come to the following resolutions thereupon:

*Resolved, that it is the opinion of this committee,* That such part of the said petition, as prays that the proprietors of unimproved lots in the said town may be compelled to clear the same, is reasonable.

*Resolved, that it is the opinion of this committee,* That such other part of the said petition, as prays that the proprietors of unimproved lots in the said town, shall be obliged to improve the same within a limited time, or that such lots shall be sold to those who will, be rejected.

*Ordered,* That a bill or bills, be brought in pursuant to the 1st, 4th, and 7th resolutions, and that the committee of Propositions and Grievances, do prepare and bring in the same.

Mr. William Watkins reported, from the committee appointed to examine the enrolled bills, that they had according to order, examined several other enrolled bills, and find them to be truly enrolled.

*Ordered,* That Mr. William Watkins do carry the said bills to the Senate, for their inspection.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, the memorial of the court of directors of the hospital for lunatics, idiots, and other persons of unsound mind, and the petition of Isaac Hite, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to as followeth:

*Resolved, that it is the opinion of this committee,* That the keeper of the said hospital ought to be allowed the sum of 200*l.* per annum, in addition to the salary at present allowed him.

*Resolved, that it is the opinion of this committee,* That the matron of the said hospital ought to be allowed the sum of 100*l.* per annum, in addition to the salary at present allowed her.

*Resolved, that it is the opinion of this committee,* That the petition of the said Isaac Hite, is reasonable, and that he ought to be allowed the sum of 400*l.*

*Ordered,* That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration, the petition of divers inhabitants of the parish and county of Fluvanna, to them referred; setting forth, that prior to the division of the county of Albemarle, the said parish of Fluvanna, was a part of the parish of St. Anne, in the said county of Albemarle; that by the said division, the glebe lands and appurtenances which belonged to the parish of St. Anne when entire, now remain in the said parish of St. Anne, and praying that they may be allowed their proportionable part of the value thereof; and had come to two resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to as followeth:

*Resolved, that it is the opinion of this committee,* That the said petition is reasonable.

*Resolved, that it is the opinion of this committee,* That the said glebe lands and appurtenances ought to be sold at public auction, and the money arising from such sale equally divided between the two parishes, in proportion to the numbers of tithables in each parish, to be laid out and applied in the purchase of other lands for a glebe for the said parishes respectively.

*Ordered,* That a bill or bills, be brought in pursuant to the said resolutions, and that the committee for Religion do prepare and bring in the same.

The committee to whom the same was referred, have had under their consideration the care of a certain negro man slave named Kitt, belonging to Hinchia Mabry, of the county of Brunswick, who was sequestered from his said master, by order of the General Assembly at their last session, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to as followeth:

*Resolved, that it is the opinion of this committee,* That the said negro Kitt hath rendered meritorious service to the Commonwealth, in making the first discovery and information against several persons concerned in counterfeiting money, whereby so dangerous a confederacy has been in some measure broken, and some of the offenders apprehended and brought to trial; that, in consideration of such service, the said negro Kitt ought to be emancipated and set free, at the charge of the Commonwealth; and that the sum of 1,000*l.*, the value of the said slave, be paid to his master the said Hinchia Mabry, out of the public treasury.

*Ordered,* That a bill or bills, be brought in pursuant to the said resolution, and that Messrs. Mason, Harvie and Henry, do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for adjusting and settling the titles of claimants to unpatented lands under the present and former government previous to the establishment of the Commonwealth's land office;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he was ready to report whenever the House should think proper to receive them.



*Resolved*, That the said report be received to-morrow.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills "for the dissolution of vestries;" "for ascertaining the losses, and procuring retribution to the citizens of this Commonwealth for the depredations of the enemy on private property;" "for discouraging extensive credits, and repealing the act prescribing the method of proving book debts;" "for the better regulation and discipline of the militia;" "for establishing a land office, and ascertaining the terms and manner of granting waste and unappropriated lands;" and on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills, "to amend an act, entitled 'an act for reviving several public warehouses, for the inspection of tobacco,'" and "for securing the moveable property of those who have joined or hereafter may join the enemy," being read,

*Ordered*, That the same be put off till Wednesday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for continuing an act, entitled 'an act appointing the place for holding the High Court of Chancery and General Court. and empowering the said High Court of Chancery, to appoint their own serjeant at arms,'" being read,

*Ordered*, That the same be put off till Wednesday next.

Mr. Mason presented, according to order, a bill "declaring who shall be deemed citizens of this Commonwealth;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That there be a call of the House to-morrow.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for empowering the Governor and Council, to appoint proper persons to collect the new levies for the continental army; for presenting an elegant sword to Col. Clarke; 200*l*. to Lieutenant Rogers; and directing the printer to furnish each acting magistrate, and every county and corporation clerk with a copy of the laws. And then he withdrew.

And then the House adjourned till to-morrow morning, 9 o'clock.

## TUESDAY, June 15, 1779.

A new member, returned upon a writ, having taken the oath required by law, took his seat in the House.

A bill, "declaring who shall be deemed citizens of this Commonwealth," was read a second time, and ordered to be committed to a committee of the whole House, to-morrow.

Mr. Curle reported, from the committee to whom were referred the petitions of Henry Singleton and George Wray; that the committee had, according to order, had the same under their consideration, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Henry Singleton, setting forth, that by some mistake, the valuation of his property, which was destroyed in the borough of Norfolk, though given into the valuers appointed by the commissioners, has been mislaid, and cannot now be found on any list; that he has since had a second valuation by two of the same men, who were before nominated for the like purpose; and praying that he may be allowed the sum of 330*l*., the valuation of his property, is reasonable.

*Resolved*, That the treasurer be directed to pay the aforesaid sum of 330*l*., to the said Henry Singleton.

*Resolved*, that it is the opinion of this committee, That the petition of George Wray, setting forth, that some time in the year 1775, he willingly delivered up his houses in the town of Hampton to certain officers and soldiers, who had been sent thither for the protection of the country; that the dwelling house has been much injured, the kitchen entirely pulled down and burnt, and the garden laid waste; and praying some compensation may be made him, is reasonable; and that he ought to be allowed the sum of 300*l*.

The first and second resolutions were, upon the question put thereupon, agreed to by the House.

The third resolution was, upon the question put thereupon, disagreed to.

*Ordered*, That Mr. Curle do carry the first and second resolutions to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "for farther suspending the payment of salaries heretofore given to the clergy of the church of England;" and that the committee for Religion do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "declaring and asserting the rights of the Commonwealth, concerning purchasing land from the Indian natives;" and that Mr. Mason do prepare and bring in the same.

*Resolved*, That it be proposed to the Assembly of the State of North Carolina, that they pass an act, saving to any proprietors of lands heretofore considered as a part of this State, but which may on the extension of the boundary line fall into the limits of North Carolina, their several rights and titles, whether founded on patents issued in this State, or on legal surveys of any sworn surveyor; and also, that they give the pre-emption to actual settlers of the lands so improved and claimed by them at such composition money as the Assembly of North Carolina have heretofore established. This proposition is made to the Assembly of North Carolina, because upon running the Cherokee boundary, subsequent to the treaty of Lochaben, it was agreed that a due west course from Sleep rock, to the intersection

of Holston river, and down the same, should be a temporary boundary, until the line should be ascertained according to charter, which sanctioned the settlement of the country under the jurisdiction of this State, and because it may prevent the strife and contention that may otherwise ensue; the Assembly of Virginia wish the advantage of this proposition to be reciprocal, and will, on their part, secure the like rights to any citizens of North Carolina, who shall, on the extension of the said line, fall into Virginia.

*Resolved*, That the Governor transmit a copy of the foregoing resolution to the Governor, the Speaker of the Senate, and the Speaker of the House of Delegates of North Carolina.

*Ordered*, That Mr. Shelby do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Mason presented, according to order, a bill, "declaring and asserting the rights of the Commonwealth, concerning purchasing land from the Indian natives;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington presented, according to order, a bill "for farther suspending the payment of the salaries heretofore given to the clergy of the Church of England;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill, "to restrict the delegates of this Commonwealth in Congress, from engaging in any trade, either foreign or domestic;" and that Messrs. Page and Ball do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "for discontinuing the Navy Board;" and that Mr. Baker do prepare and bring in the same.

Mr. Baker presented, according to order, a bill "for discontinuing the Navy Board;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That Mr. Lankford have leave to be absent from the service of this House for the remainder of the session.

Mr. Page, according to the order of yesterday, reported the amendments made by the committee of the whole House to the bill, "for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth's Land Office;"

And the same being read and amended, were agreed to by the House.

Mr. Mason presented, according to order, a bill, "for fixing the rate of exchange, and mode of judgments on foreign debts;" and the same was received and read the first time and ordered to be read a second time.

The House proceeded to nominate persons proper to be ballotted for, as delegates to Congress.

*Ordered*, That Mr. Carter do carry a list of the persons so nominated to the Senate.

Mr. Page presented, according to order, a bill, "to restrict the delegates of this Commonwealth in Congress, from engaging in any trade, either foreign or domestic;" and the same was received and read the first time, and ordered to be read a second time.

*Resolved*, That this House will, on Thursday next, proceed by joint ballot with the Senate, to elect five directors of public buildings, pursuant to an act, "for the removal of the seat of government."

*Ordered*, That Mr. Thomas Johnson do acquaint the Senate therewith.

Mr. Tazewell presented, according to order, a bill, "for giving salaries to certain officers of government;" and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, upon the bill, "for establishing a Land Office, and ascertaining the terms and manner of granting waste and unappropriated lands;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Carter reported, that the committee had, according to order, had the said bill under their consideration, and had made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, again to-morrow, resolve itself into a committee of the whole House, on the said bill.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills, "for raising a body of troops for the defence of the Commonwealth;" "for the dissolution of vestries;" "for ascertaining the losses, and requiring retribution to the citizens of this Commonwealth for the depredations of the enemy, on private property;" and "for the better regulation and discipline of the militia;" and on the state of the Commonwealth, and for a call of the House, being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for discouraging extensive credits, and repealing the act, 'prescribing the method of proving book debts,' being read,

*Ordered*, That the same be put off till to-morrow.

A bill, "for giving salaries to certain officers of government," was read a second time, and ordered to be committed to a committee of the whole House, to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

WEDNESDAY, June 16, 1779.

Mr. Carter reported, from the committee to whom the bill, "empowering certain persons to convey the land whereof Sarah, the wife of John Rootes was seised, to the purchaser in fee simple;" that the committee had, according to order, had the said bill under their consideration, examined into the allegations thereof, and found them true, and made no amendment thereto.

*Ordered*, That the said bill be engrossed and read the third time.

Mr. Charles Carter presented, according to order, a bill "for adding part of the county of Augusta to the county of Monongalia, and other purposes." Also, a bill "for adding part of the county of Augusta to the county of Rockingham, and other purposes;" and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Bassett.

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for augmenting the salaries of the keeper and matron of the public hospital for the reception of idiots, lunatics, &c. and making an allowance to William Montague, for the hire of Bristol, a negro man slave belonging to him.

They have also agreed to the bill, entitled "an act, giving farther time to the purchasers of lots in the town of Bath to build thereon;" and to the bill, entitled "an act for disposing of the glebe of Russell parish, and for other purposes;" and to the bill, entitled "an act to empower the justices of Nansemond county to hold courts at such place as they shall appoint, and for other purposes;" also, to the bill "concerning escheators," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

Mr. Charles Carter presented, according to order, a bill "to repeal an act, entitled 'an act to prohibit the distillation of spirits from corn, wheat, rye, and other grain, for a limited time;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington presented, according to order, a bill "to dispose of the glebe of the parish of St. Anne, in the county of Albemarle, and for other purposes;" and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act to empower the justices of Stafford county to fix on a proper place for erecting their courthouse." They have also agreed to the amendments proposed by this House to their amendments to the bill "concerning officers, soldiers, sailors and marines," with amendments thereto, to which they desire the concurrence of this House. And then he withdrew.

A bill, "for declaring and asserting the rights of the Commonwealth to purchases of lands from Indian natives," was read the second time, and ordered to be engrossed and read the third time.

The House proceeded to consider the amendments of the Senate to the amendments of this House to the amendments of the Senate, to the bill "concerning officers, soldiers, sailors and marines;" and the same being read, some were agreed to, and others disagreed to.

*Ordered*, That Mr. Tyler do acquaint the Senate therewith.

A bill, "for farther suspending the payment of the salaries heretofore given to the clergy of the church of England," was read the second time, and ordered to be engrossed and read the third time.

A bill, "for discontinuing the Navy Board," was read the second time, and ordered to be engrossed and read the third time.

The House proceeded to consider the amendments of the Senate to the bill "concerning escheators;" and the same being read, were agreed to by the House.

*Ordered*, That Mr. Baker do acquaint the Senate therewith.

A message from the Senate, by Mr. Adams:

MR. SPEAKER,—The Senate have agreed to the resolution for proceeding by joint ballot with this House tomorrow, to appoint directors of the public buildings at Richmond. And then he withdrew.

A bill, "to restrict the delegates of this Commonwealth in Congress from engaging in any trade, either foreign or domestic," was read the second time, and ordered to be engrossed and read the third time.

A bill, "for settling the rate of exchange, and mode of judgments on foreign debts," was read the second time.

A motion was made, and the question being put, that the third reading of the said bill be deferred till the next session of Assembly,

It was resolved in the affirmative.

*Ordered*, That Mr. Richard Lee, Mr. Harrison of Brandon, and Mr. Lomax, have leave to be absent from the service of this House for the remainder of the session.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of seven delegates to represent this Commonwealth in Congress, from the first Monday in November, for one year then next ensuing. Also, of two judges of the Court of Admiralty, in the room of William Holt and Bernard Moore, Esquires, who have resigned.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

The House proceeded to nominate persons proper to be ballotted for as directors of the public buildings at Richmond.



*Ordered*, That Mr. Thomas Johnson do carry a list of the persons so nominated to the Senate.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate do recede from their amendment to the amendment of this House to their amendment to the bill "concerning officers, soldiers, sailors, and marines." And then he withdrew.

An engrossed bill, "for adjusting and settling the titles of claimers to unpatented lands, under the present and former government, previous to the establishment of the Commonwealth's Land Office," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act for adjusting and settling the titles of claimers to unpatented lands, under the present and former government, previous to the establishment of the Commonwealth's Land Office."

*Ordered*, That Mr. Page do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for establishing a Land Office, and for ascertaining the terms and manner of granting waste and unappropriated lands;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Charles Carter reported, that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended, were agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate have added sundry persons to the nomination of persons proper to be ballotted for as delegates to Congress, in the room of those four members who have resigned; and of directors for the public buildings, pursuant to the act "for the removal of the seat of government." And then he withdrew.

A message from the Senate by Mr. Rutherford:

MR. SPEAKER,—The Senate have agreed to the resolution, that Messrs. Dixon and Nicholson be empowered to procure paper to print the laws. And also have agreed to the bill "to displace the trustees of the town of Staunton, and for other purposes therein mentioned," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for giving salaries to certain officers of government;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

*Ordered*, That Mann Page, jun. James Madison, jun. George Wythe and John Blair, Esquires, be withdrawn from the nomination of delegates to Congress, at their desire.

*Ordered*, That Mr. Charles Carter do acquaint the Senate therewith.

The House proceeded to nominate persons proper to be ballotted for as members of the Privy Council, delegates to Congress, judges of the Court of Admiralty, members of the Board of War, members of the Board of Trade, a clothier general, and commissary of prisoners.

*Ordered*, That Mr. Charles Carter do carry lists of the persons so nominated to the Senate.

Mr. Baker reported, from the board of auditors for public accounts, that in obedience to an order of the Hon. House of Delegates, they had under their consideration the memorial of Edmund Pendleton and Peter Lyons, Esqrs. administrators of John Robinson, deceased, late treasurer of Virginia, and begged leave to report, that it appeared to them, (from the testimony on oath of Charles Turnbull, and the accounts of the said John Robinson, which have been examined and certified by the General Assembly, in April, 1766,) that the said John Robinson in his life time, to wit, in June 1758, paid to Charles Turnbull, the agent for carrying on a trade with the Indian nations in amity with the colony, the sum of 1,500*l.* part of the public money then in his hands; for which sum the said John Robinson made no charge against the country. Wherefore they humbly certified that the estate of the said John Robinson ought to have credit in his account with the Commonwealth for the same, together with interest thereon, in manner as his estate is charged with interest on the balance due from him.

And it farther appeared to them, that the said payment was made to the said Charles Turnbull by a discount against a debt due from the Honorable William Byrd, deceased, to the said John Robinson, whose (the said William Byrd's estate) should have credit with Mr. Robinson's administrators, from the time of the payment in June, 1758.

*Resolved*, That the treasurer be directed to allow the administrators of John Robinson, deceased, in their account with the country the sum of 1500*l.*, which was paid by the said John Robinson, in June 1758, to Charles Turnbull, agent for the Indian trade, and not charged by the said John Robinson in credit with the public, together with interest, in manner as the said administrators are answerable for interest on the balance due from their intestate to the Commonwealth.

*Ordered*, That Mr. Baker do carry the said resolution to the Senate, and desire their concurrence.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills, "for obliging the several delinquent counties within this Commonwealth to furnish every twenty-fifth man of their militia;" "constituting a Court of Admiralty;" "constituting a Court of Appeals;" "for reviving several public warehouses

for the inspection of tobacco;" "for securing the moveable property of those who have or hereafter may join the enemy;" "for declaring who shall be deemed citizens of this Commonwealth;" "for raising a body of troops for the defence of the Commonwealth;" "for the dissolution of vestries;" "for ascertaining the losses, and procuring retribution to the citizens of this Commonwealth for the depredations of the enemy on private property;" "for the better regulation and discipline of the militia;" and on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

#### THURSDAY, June 17, 1779.

Several persons who were yesterday nominated to be ballotted for as members of Board of War and Board of Trade, as delegates to Congress, and directors of the public buildings at Richmond, and for the office of Clothier General, were withdrawn therefrom at their special instance, and others added thereto.

*Ordered*, That Mr. Tazewell do acquaint the Senate therewith.

The Speaker laid before the House, a letter from Thomas Walker, Esq., wherein he desires that he may be one of those members of the Privy Council who are to be ballotted out agreeable to the constitution; and the same was read, and ordered to lie on the table.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have inspected several other enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

The Speaker laid before the House, a letter from the Governor, enclosing several papers and stating sundry matters for the consideration of the General Assembly; and the same were read, and ordered to lie on the table.

*Resolved*, That the money arising from the sale of the vessel and salt sent by Sir George Collier, to the inhabitants of the Eastern Shore, be lodged in the public treasury, to be applied to the equal relief of all the unhappy sufferers within this Commonwealth, by the late invasion.

*Ordered*, That Mr. Page do carry the said resolution to the Senate, and desire their concurrence.

A bill, "for adding part of the county of Augusta, to the county of Monongalia, and other purposes;" was read the second time, and ordered to be engrossed, and read the third time.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate have added several persons to the nominations for certain vacant offices.

And have also agreed to the resolution, for proceeding by joint ballot this day to the appointment of seven delegates to Congress for one year from November next, and also, of two judges of the Court of Admiralty. And then he withdrew.

A bill, "for adding part of the county of Augusta, to the county of Rockingham, and other purposes;" was read the second time, and ordered to be engrossed, and read the third time.

A bill, "to dispose of the glebe of the parish of St. Anne, in the county of Albemarle, and for other purposes;" was read the second time, and ordered to be engrossed, and read the third time.

A bill, "to repeal an act, entitled 'an act, to prohibit the distillation of spirits from corn, wheat, rye, and other grain, for a limited time;" was read the second time, and ordered to be engrossed, and read the third time.

A message from the Senate by Mr. Bassett.

MR. SPEAKER,—The Senate have agreed to the resolution respecting the administrators of the late John Robinson, Esq., deceased. And then he withdrew.

An engrossed bill, "for giving salaries to certain officers of government;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for giving salaries to certain officers of government."

*Ordered*, That Mr. Tazewell do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for restricting the delegates of this Commonwealth in Congress from engaging in any trade, either foreign or domestic;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for restricting the delegates of this Commonwealth in Congress from engaging in any trade, either foreign or domestic."

*Ordered*, That Mr. Baker do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "declaring and asserting the rights of this Commonwealth concerning purchasing lands from Indian natives;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act declaring and asserting the rights of this Commonwealth concerning purchasing lands from Indian natives."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

A engrossed bill, "for discontinuing the Navy Board;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for discontinuing the Navy Board."

*Ordered*, That Mr. Baker do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "empowering certain persons to convey the land whereof Sarah, the wife of John Rootes, was seised, to the purchaser in fee simple;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act empowering certain persons to convey the land whereof Sarah, the wife of John Rootes, was seised, to the purchaser in fee simple."

*Ordered*, That Mr. C. Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for farther suspending the payment of the salaries heretofore given to the clergy of the church of England;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for farther suspending the payment of the salaries heretofore given to the clergy of the church of England."

*Ordered*, That Mr. Carrington do carry the bill to the Senate, and desire their concurrence.

The House, proceeded to consider the amendments made by the Senate, to the bill, "to displace the trustees of the town of Staunton, and for other purposes therein mentioned;" and the same being read, were agreed to by the House.

*Ordered*, That Mr. Z. Johnson do acquaint the Senate therewith.

*Ordered*, That Mr. Hopkins have leave to be absent from the service of this House for the remainder of the session.

An engrossed bill, "for establishing a Land Office, and ascertaining the terms and manner of granting waste and unappropriated lands;" was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, for establishing a Land Office, and ascertaining the terms and manner of granting waste and unappropriated lands."

*Ordered*, That Mr. C. Carter do carry the bill to the Senate, and desire their concurrence.

Mr. Henry presented, according to order, a bill, "for the manumission of a certain slave;" and the same was received, and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have added several other persons to the nomination for members of a Board of War.

Also, they have agreed to the bill, entitled, "an act, for punishing persons guilty of certain forgeries, and fixing the allowance to sheriffs, veniremen, and witnesses, in certain cases;" with several amendments, to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for discontinuing the Navy Board."

Also, to the bill, entitled "an act, for farther suspending the payment of the salaries heretofore given to the clergy of the church of England."

Also, to the bill, entitled "an act, declaring and asserting the rights of the Commonwealth concerning purchasing land from the Indian natives."

And also, to the bill, entitled "an act, empowering certain persons to convey the land whereof Sarah, the wife of John Rootes, was seised, to the purchaser in fee simple." And then he withdrew.

Mr. Lyne presented, according to order, a bill, "concerning naval officers, ascertaining their fees and their duty."

A motion was made, and the question being put, that the said bill be read the first time on the tenth day of October next,

It was resolved in the affirmative.

The House proceeded, according to the order of the day, by joint ballot with the Senate, to remove two members of the Privy Council, or Council of State, agreeable to the constitution of government; and the members having prepared tickets for the persons to be appointed, and put the same into the ballot glasses; Messrs. C. Carter, Parker and Curle, were nominated a committee to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and to report to the House on whom the majority of votes should fall.

*Ordered*, That Mr. C. Carter do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House, and reported, that they had met a committee from the Senate in the conference room, and had jointly with them examined the ballot glasses, and found a majority of votes to fall on Thomas Walker and Benjamin Waller, Esquires.

The House proceeded in the same manner, to the appointment of two members of the Privy Council or Council of State, in the room of the two gentlemen ballotted out; and it appears from the report of Messrs. Page, Harvie, Edmondson, Z. Johnson and Burr Harrison, the committee appointed to examine the ballot glasses, that the majority was in favor of John Walker and Warner Lewis, jun. Esquires.

The House proceeded in the same manner, to the appointment of members for the Board of War; and it appears from the report of Messrs. Page, Nelson, Winslow, Thomas Johnson, Curle, and John Taylor, the committee appointed to examine the ballot glasses, that the majority was in favor of James Innes, William Nelson, Robert Lawson, Samuel Griffin and James Barron, Esquires.

The House proceeded in the same manner, to the appointment of members for the Board of Trade; and it appears from the report of Messrs. Page, Tazewell, C. Carter, Curle and Edmondson, the committee appointed to ex-



amine the ballot glasses, that the majority was in favor of Jacquelin Ambler, Duncan Rose and Thomas Whiting, Esquires.

The House proceeded in the same manner, to the appointment of a commissary of prisoners; and it appears from the report of Messrs. Baker, Thomas Johnson, Tazewell, and Richard Lee, the committee appointed to examine the ballot glasses, that the majority was in favor of Thomas Edmunds, Esq.

The House proceeded in the same manner, to the appointment of two judges of the Court of Admiralty, in the room of William Holt and Bernard Moore, Esquires, who have resigned; and it appears from the report of Messrs. Baker, Tazewell, James Taylor, Henry, Braxton and Lyne, the committee appointed to examine the ballot glasses, that the majority was in favor of Benjamin Waller and William Roscow Wilson Curle, Esquires.

The House proceeded in the same manner, to the appointment of a clothier general; and it appears from the report of Messrs. Page, Zane, Edmondson, and James Innes, the committee appointed to examine the ballot glasses, that the majority was in favor of John Peyton, Esq.

The House proceeded in the same manner, to the appointment of four delegates to Congress, in the room of Francis L. Lee, Thomas Adams, Thomas Nelson, jun. and Richard H. Lee, Esquires, who have resigned; and it appears from the report of Messrs. Ball, Z. Johnson, Tazewell, Burwell, Zane, and John Taylor, the committee appointed to examine the ballot glasses, that the majority was in favor of Edmund Randolph, Gabriel Jones, James Mercer, and William Fitzhugh, Esquires.

The House proceeded in the same manner, to the appointment of seven delegates to represent this Commonwealth in Congress from the first Monday in November for one year, then next ensuing; and it appears from the report of Messrs. Harvie, C. Carter, Ball, Z. Johnson, Tazewell, Burwell, Zane and John Taylor, the committee appointed to examine the ballot glasses, that the majority was in favor of Gabriel Jones, Edmund Randolph, James Mercer, Patrick Henry, William Fitzhugh, Meriwether Smith and Cyrus Griffin, Esquires.

*Ordered*, That the farther ballot for directors of the public buildings at Richmond, pursuant to the act, "for the removal of the seat of government," be put off till to-morrow.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

*Ordered*, That the public printer forthwith print 250 copies of the act, "concerning officers, soldiers, sailors, and marines," to be distributed by the members of the General Assembly in their respective counties.

*Ordered*, That Mr. Tazewell do carry the resolution to the Senate, and desire their concurrence.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also on the bills, "for continuing an act, entitled 'an act for fixing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms,'" "for obliging the several delinquent counties within this Commonwealth to furnish every twenty-fifth man of their militia;" "constituting a Court of Admiralty;" "constituting a Court of Appeals;" "for reviving several public warehouses for the inspection of tobacco," "for securing the moveable property of those who have or hereafter may join the enemy;" "for declaring who shall be deemed citizens of this Commonwealth;" "for raising a body of troops for the defence of this Commonwealth;" "for the dissolution of vestries;" "for ascertaining the losses, and requiring retribution to the citizens of this Commonwealth, for the depredations of the enemy on private property;" and "for the better regulating and disciplining of the militia," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

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#### FRIDAY, June 18, 1779.

Several persons were withdrawn from the nomination of directors for the public buildings at Richmond at their special instance, and others added thereto.

*Ordered*, That Mr. Wilkinson do acquaint the Senate therewith.

*Ordered*, That the clerk grant no certificate to any member of this House for his attendance or other expenses, until the Assembly shall have adjourned, unless such member shall first have obtained leave of absence.

An engrossed bill, "to dispose of the glebe in the parish of St. Anne, in the county of Albemarle, and for other purposes," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act for disposing of the glebe of the parish of St. Anne, in the county of Albemarle, and for other purposes."

*Ordered*, That Mr. Carrington do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for adding part of the county of Augusta to the county of Monongalia, and other purposes," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for adding part of the county of Augusta to the county of Monongalia, and other purposes."

*Ordered*, That Mr. Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for adding part of the county of Augusta to the county of Rockingham, and other purposes," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for adding part of the county of Augusta to the county of Rockingham, and other purposes."

*Ordered*, That Mr. C. Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to repeal an act, entitled 'an act to prohibit the distillation of spirits from corn, wheat, rye, and other grain, for a limited time,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, to repeal an act, entitled 'an act to prohibit the distillation of spirits from corn, wheat, rye, or other grain, for a limited time.'"

*Ordered*, That Mr. C. Carter do carry the bill to the Senate, and desire their concurrence.

*Resolved*, That John Walker and Warner Lewis, jun. Esquires, be appointed members of the Privy Council or Council of State, in the room of Thomas Walker and Benjamin Waller. Esquires, removed by joint ballot of both Houses of Assembly; James Innes, William Nelson, Robert Lawson, Samuel Griffin, and James Barron, Esquires, members of the Board of War; Jacquelin Ambler, Duncan Rose and Thomas Whiting, Esquires, members of the Board of Trade; Benjamin Waller and William Roscow Wilson Curle, Esquires, judges of the Court of Admiralty; Edmund Randolph, Gabriel Jones, James Mercer, and William Fitzhugh, Esquires, delegates to represent this Commonwealth in Congress, until the first Monday in November next, in the room of the four gentlemen who have resigned; Gabriel Jones, Edmund Randolph, James Mercer, Patrick Henry, William Fitzhugh, Meriwether Smith, and Cyrus Griffin, Esquires, delegates to represent this Commonwealth in Congress for one year from the first Monday in November next; Thomas Edmunds, Esq. commissary of prisoners; and John Peyton, Esq. clothier general.

*Ordered*, That Mr. Page do carry the resolution to the Senate, and desire their concurrence.

The Speaker signed the following enrolled bills: "an act for the removal of the seat of government;" "an act for continuing an act, entitled 'an act, for empowering the Governor and Council to lay an embargo for a limited time;'" "an act, for continuing an act, entitled 'an act for giving certain powers to the Governor and Council;'" "an act, for continuing an act, entitled 'an act to empower the Governor and Council to superintend and regulate the public jail;'" "an act, for continuing an act, entitled 'an act, to enable the Governor and Council to supply the armies and navies of the United States, and of their allies, with grain and flour;'" "an act, to increase the salaries to the clerks of the auditors of public accounts."

A bill, "for the manumission of a certain slave," was read the second time, and ordered to be engrossed and read the third time.

Mr. Watkins reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, inspected several others, and found them to be truly enrolled.

*Ordered*, That Mr. Watkins do carry the bills to the Senate for their inspection.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petition of sundry inhabitants of the county of Frederick to them referred; setting forth, that sundry persons have evaded the law allowing a substitute to exempt two militia men from military duty during the time such substitute engaged to serve, by procuring apprentices and servants during the time of their indentures or conviction; and praying that some step may be taken to prevent such evil consequences, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as follows:

*Resolved*, that it is the opinion of this committee, That the said petition is reasonable.

*Resolved*, That the Governor be requested to direct the county lieutenant, or the commanding officer of the militia in every county of this Commonwealth, to make the strictest inquiry for all persons whomay have so collusively or illegally procured such exemptions, and to cause them to be again enrolled in the militia to which they respectively belong.

*Ordered*, That Mr. Charles Carter do carry the said resolutions to the Senate for their concurrence.

*Ordered*, That leave be given to bring in a bill, "for settling the price of tobacco due for officers fees and the attendance of witnesses, and for ascertaining the fees of the register and other officers respecting the Land Office;" and that Mr. Mason do prepare and bring in the same.

*Ordered*, That Messrs. Winslow and Napier have leave to be absent from the service of this House for the remainder of the session.

The House proceeded to consider the amendments made by the Senate to the bill, "for punishing persons guilty of certain forgeries, and fixing the allowance to sheriffs, veniremen, and witnesses, in certain cases;" and the same were read and agreed to by the House.

*Ordered*, That Mr. Charles Carter do acquaint the Senate therewith.

Mr. Mason presented, according to order, a bill, "for settling the price of tobacco due for officers fees and the attendance of witnesses, and for ascertaining the fees of the register and other officers respecting the land office;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That Mr. Hinde Russell be appointed clerk to the committees for Courts of Justice and for Public Trade, in the room of Mr. William Drew, appointed clerk to the Senate.

*Ordered*, That leave be given to bring in a bill, "for giving the Speakers of the two Houses of Assembly adequate salaries; and that Mr. Tyler do prepare and bring in the same.

A bill, "for settling the price of tobacco due for officers fees, and the attendance of witnesses, and for ascertaining the fees of the register and other officers respecting the land office," was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth :

*Resolved, that it is the opinion of this committee,* That the consideration of the petition of sundry inhabitants of the county of Botetourt, praying a division of the said county, be referred to the next session of Assembly.

*Resolved, that it is the opinion of this committee,* That the petition of Robert Kinkade ; setting forth, that being uninform of the law, he neglected to take the oath of allegiance to the State, until the time allowed by the act of Assembly had elapsed, whereby he incurred the penalty of treble rates and taxes ; and praying that he may be relieved, is reasonable.

*Ordered,* That a bill or bills, be brought in pursuant to the latter resolution, and that the committee of Propositions and Grievances do prepare and bring in the same.

*Ordered,* That leave be given to bring in a bill, "for continuing an act, entitled 'an act for appointing naval officers, and for ascertaining their fees ;' and that Mr. Richard Lee do prepare and bring in the same.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petition of William Stanhope to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House, as followeth :

*Resolved, that it is the opinion of this committee,* That eight thousand dollars emitted by the treasurer of this Commonwealth, marked "q a," eight thousand dollars, marked "d k," and eight thousand dollars, marked "k x," dated the 4th of May, 1778, signed by Leighton Wood and James Wray, be called out of circulation by the first day of July next, and be no longer current or pass in payment.

*Resolved, that it is the opinion of this committee,* That the treasurer pay to any person who shall, before the first day of January next, deliver in any of the above described money, other money in lieu thereof, the person demanding a redemption of any of the said money, first making affidavit that he received the same before the passing this resolution, and without any trust, fraud, covin, or collusion, and producing a certificate thereof to the treasurer.

*Resolved, that it is the opinion of this committee,* That William Stanhope ought to be allowed the sum of 214*l*. 18*s*. 8*d*. it appearing in proof that the said money was lost at the time he was robbed at the Bowling Green of the money intended for Col. Clapham, being due to three companies of militia for escorting the convention troops.

*Ordered,* That a bill or bills, be brought in pursuant to the first and second resolutions ; and that the committee of Propositions and Grievances do prepare and bring in the same.

*Ordered,* That Mr. Charles Carter do carry the last resolution to the Senate, and desire their concurrence.

Mr. Tyler presented, according to order, a bill, "for giving the Speakers of the two Houses of Assembly adequate salaries ;" and the same was received and read the first time, and ordered to be read a second time.

A motion was made, and the question being put, that the House do come to the following resolutions :

That this House taking under consideration the case of William Trent and others, members of the Indiana Company, do resolve, that the said William Trent and Company had a just claim upon the Six Nations of Indians for retribution for the loss they sustained by the robbery committed on them by the tributaries of the said Six Nations of Indians.

And also do resolve, that the lands conveyed to William Trent and others, by the Six Nations of Indians, as a retribution for the robbery committed on them in the year 1763, having been found to be within the chartered limits of this Commonwealth ; and the said William Trent and others appearing to be without prospect of a future or farther recompense on that account, this House will make them some compensation out of the lands aforesaid, in consideration of the great losses by them sustained.

It passed in the negative.

*Resolved,* That the resolutions be rejected.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "constituting the Court of Admiralty ;" and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered,* That the bill, with the amendments, be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for ascertaining the losses, and requiring retribution to the citizens of this Commonwealth, for the depredations of the enemy on private property ;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered,* That the bill, with the amendments, be engrossed and read the third time.

The Speaker laid before the House, a letter from the Governor, and George Wythe, Esq. on the subject of the revision of the laws, enclosing a list of the revised laws, and referring to manuscript copies of them accompanying it ;



and the said letter was read, and together with the said list and copies, ordered to be referred to the consideration of the next session of Assembly.

Mr. Richard Lee presented, according to order, a bill, "for continuing an act, entitled 'an act for appointing naval officers, and for ascertaining their fees;'" and the same was received and read the first time, and ordered to be read a second time.

The order of the day, for the House to proceed, by joint ballot with the Senate, to the appointment of directors for the public buildings at Richmond, being read,

*Ordered*, That the same be put off till Tuesday next.

*Ordered*, That Mr. Charles Carter do acquaint the Senate therewith.

*Resolved*, That this House will, on Tuesday next, proceed, by joint ballot with the Senate, to appoint an auditor of public accounts in the room of Duncan Rose, Esq. appointed a member of the Board of Trade; commissioners to meet commissioners on the part of the State of Pennsylvania for settling and adjusting the boundary line between that State and this; and a major commandant to the four troops of horse, pursuant to the act, "concerning officers, soldiers, sailors and marines."

*Resolved*, That Mr. Charles Carter do carry the resolution to the Senate, and desire their concurrence.

A motion was made, and the question being put, that the House do come to the following resolution:

*Resolved*, That any of our fellow citizens of the United States, who are affected in interest by the decision against the Indiana claim, and who have shewn a friendly attachment to the American cause, shall be entitled to a gratuity from this House, equivalent to their respective shares in the said Company.

It passed in the negative.

*Resolved*, That the resolution be rejected.

A bill, "for continuing an act, entitled 'an act for appointing naval officers, and for ascertaining their fees;'" was read the second time, and ordered to be committed to the committee for Public Trade.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to secure the moveable property of those who have joined or hereafter may join the enemy; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and also on the bills, "for continuing an act, entitled 'an act for fixing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms;'" "for obliging the several delinquent counties within this Commonwealth, to furnish every twenty-fifth man of their militia;" "constituting a Court of Appeals;" "for reviving several public warehouses for the inspection of tobacco;" "for declaring who shall be deemed citizens of this Commonwealth;" "for raising a body of troops for the defence of the Commonwealth;" "for the dissolution of vestries;" and "for the better regulation and discipline of the militia," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

SATURDAY, June 19, 1779.

A message from the Senate by Mr. Taylor:

MR. SPEAKER.—The Senate have agreed to the resolutions directing the printer to print 250 copies of the act, "concerning officers, soldiers, sailors, and marines." And to ballot for certain officers on Tuesday next. They have also agreed to the bill, "for disposing of the glebe of the parish of St. Anne, in the county of Albemarle, and for other purposes." And to the bill, "for continuing an act, entitled 'an act, to prohibit the distillation of spirits from corn, wheat, rye, and other grain, for a limited time.'" And to the bill, "for restricting the delegates of this Commonwealth in Congress from engaging in any trade, either foreign or domestic," with some amendments; to which they desire the concurrence of this House. And then he withdrew.

An engrossed bill, "for ascertaining the losses, and requiring retribution to the citizens of this Commonwealth, for the depredations of the enemy on private property," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for ascertaining the losses, and requiring retribution to the citizens of this Commonwealth, for the depredations of the enemy on private property."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to secure the moveable property of those who have joined or hereafter may join the enemy;" was read the third time,

*Resolved*, That the bill do pass, and that the title be, "an act to secure the moveable property of those who have joined or hereafter may join the enemy."

*Ordered*, That Mr. Parker do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for the manumission of a certain slave," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for the manumission of a certain slave."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "constituting a Court of Admiralty," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act constituting a Court of Admiralty."

*Ordered*, That Gen. Nelson do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That it be an instruction to the committee of Propositions and Grievances, to whom the bill, "for establishing several new ferries," was committed, that they receive a clause or clauses for the establishment of several additional ferries.

A bill, "for giving the Speakers of the two Houses of Assembly adequate salaries," was read the second time, and ordered to be committed to Messrs. Tyler, Innes of Yohogania, T. Johnson, and McCulloch.

Mr. C. Carter presented, according to order, a bill "for calling certain treasury notes out of circulation;" and the same was received and read the first time.

A motion was made, and the question being put, that the said bill be read a second time,

It passed in the negative.

*Resolved*, That the bill be rejected.

*Ordered*, That Messrs. Thompson and John Taylor, have leave to be absent from the service of this House, for remainder of the session.

The House proceeded, to consider the amendments made by the Senate, to the bill, "to restrict the delegates of this Commonwealth in Congress from engaging in any trade, either foreign or domestic;" and the same were read and agreed to by the House.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the state of the Commonwealth under their farther consideration, and had agreed upon a report which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the Governor be desired immediately to make an offer to the State of North Carolina of the Washington and Caswell galleys now in that State, at a fair valuation; and that if the said offer should not be accepted, that he order them to be dismantled, and the materials, guns, ammunition, &c. brought over to this State for the use of the navy, and the hulls to be disposed of for the best price that can be had.

*Resolved*, that it is the opinion of this committee, That the Governor and Council be desired to furnish the soldiers who served as volunteers, or were draughted from the militia for the continental army under the law passed in 1777, and who performed the service required of them by the said law, or the representatives of such as have died since, with such clothing as they have not received, and was promised by law, that is to say, a coat, waistcoat, pair of breeches, two shirts, a hat, two pair of stockings, and two pair of shoes; but if such soldiers, or their representatives, as aforesaid, are willing to accept money in lieu thereof, then to pay them at the following rates, for a coat 23l. 10s., a waistcoat 10l. 15s., a pair of breeches 9l. 5s., a shirt 9l. 8s., a hat 5l., a pair of stockings 1l. 10s., and a pair of shoes 5l.

*Resolved*, that it is the opinion of this committee, That so much of all ordinances of Convention or acts of General Assembly, as makes it penal to offer or pay, ask or receive, more in paper bills of credit of this Commonwealth or of Congress, for any gold or silver coins than the nominal amount or value of such gold or silver coin, or more in the said paper bills for any property, real or personal, than is asked or offered in gold or silver coin, ought to be repealed.

*Resolved*, that it is the opinion of this committee, That the Governor and Council be desired to take off the embargo by them laid on the exportation of provisions from this State, so far as to permit 1,000 bushels of Indian corn, or flour equal thereto, to be exported to the island of Bermudas, agreeable to a recommendation of the General Congress.

*Ordered*, That Mr. Braxton do carry the 1st, 2d, and 4th resolutions to the Senate, and desire their concurrence.

*Ordered*, That a bill or bills, be brought in pursuant to the 3d resolution; and that Messrs. Braxton, Tazewell, Tyler, and Innes of York, do prepare and bring in the same.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House, on the state of the Commonwealth.

Mr. Richard Lee reported, from the committee of Public Trade, to whom the bill, "for continuing an act, entitled 'an act for appointing naval officers, and ascertaining their fees,'" was committed, that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered*, That the bill with the amendments be engrossed and read the third time.

A message from the Senate by Mr. Matthews:

MR. SPEAKER,—The Senate have agreed to the bill, entitled an act, “for adding part of the county of Augusta, to the county of Monongalia, and other purposes,” with an amendment; to which they desire the concurrence of this House. And then he withdrew.

The said amendment was read and agreed to by the House.

*Ordered*, That Mr. C. Carter do acquaint the Senate therewith.

Mr. Tyler reported, from the committee to whom the bill, “for giving the Speakers of the two Houses of Assembly adequate salaries,” was committed, that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and agreed to by the House.

A motion was made, and the question being put that the bill, with the amendments, be engrossed and read the third time,

It passed in the negative.

*Resolved*, That the bill be rejected.

Mr. Harvey presented, according to order, a bill “concerning escheats and forfeitures from British subjects;” and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act for giving salaries to certain officers of government,” with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendments; and the same being read, some were agreed to, and others disagreed to.

*Ordered*, That Mr. C. Carter do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, “for obliging the several delinquent counties within this Commonwealth to furnish every twenty-fifth man of their militia;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. C. Carter reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the said bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have receded from their 1st, 2d, 3d and 4th amendments, and insist on their 5th amendment to the bill, entitled “an act for giving salaries to certain officers of government.” And then he withdrew.

The House proceeded to consider the amendment to which the Senate have insisted; and the same being read, and the question put that this House do recede from their disagreement thereto, and agree with the Senate in the said amendment,

It was resolved in the affirmative.

*Ordered*, That Mr. C. Carter do acquaint the Senate therewith.

A motion was made, and the question being put, the order of the day for the House to resolve itself into a committee of the whole House, on the bill “for the dissolution of vestries,” be put off till the tenth day of October next,

It was resolved in the affirmative.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act constituting a Court of Admiralty.” And to the bill, entitled “an act to secure the moveable property of those who have joined or hereafter may join the enemy.” And to the bill, entitled “an act for the manumission of a certain slave.” They have also agreed to the resolutions to ballot for certain officers on Tuesday next. For disposing of the galleys Washington and Caswell in North Carolina. For empowering the Governor to take off the embargo in part. And for furnishing the deficiency of clothing to certain volunteers and draughted soldiers. And then he withdrew.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to William Stanhope. They have also inspected several other enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

The Speaker then signed the following enrolled bills, “an act concerning officers, soldiers, sailors and marines.” “An act to empower the justices of Nansemond county to hold courts at such place as they shall appoint, and for other purposes.” “An act for giving a farther time to the purchasers of lots in the town of Bath to build thereon.” “An act for disposing of the glebe of Russell parish, and for other purposes.” “An act empowering certain persons to convey the land, whereof Sarah, the wife of John Rootes, was seised, to the purchaser in fee simple.” “An act for declaring and asserting the rights of this Commonwealth concerning purchasing land from Indian natives.” “An act to empower the justices of Stafford county to fix on a proper place for erecting their courthouse.” “An act concerning escheators.” And also, “an act for discontinuing the Navy Board.”

A bill, “concerning escheats and forfeitures from British subjects;” was read the second time, and ordered to be committed to a committee of the whole House on Monday next.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the bills “for continuing an act, entitled ‘an act for fixing the place for holding the High Court of Chan-



cery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms;" "constituting a Court of Appeals;" "for reviving several public warehouses for the inspection of tobacco;" "for declaring who shall be deemed citizens of this Commonwealth;" "for raising troops for the defence of the Commonwealth," and "for the better regulation and discipline of the militia," being read.

*Ordered*, That the same may be put off till Monday next.

And then the House adjourned till Monday morning, 9 o'clock.

## MONDAY, June 21, 1779.

An engrossed bill, "for continuing an act, entitled 'an act for appointing naval officers, and ascertaining their fees,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for continuing an act, entitled 'an act for appointing naval officers, and ascertaining their fees.'"

*Ordered*, That Mr. Richard Lee do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for obliging the several delinquent counties within this Commonwealth to furnish every twenty-fifth man of their militia," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for obliging the several delinquent counties and divisions of militia in this Commonwealth to furnish every twenty-fifth man."

*Ordered*, That Mr. C. Carter do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That Messrs. Pride, Sherwin and Reade, be added to the committee appointed to inspect the enrolled bills.

*Ordered*, That leave be given to bring in a bill "for supplying the army and navy with provisions;" and that Messrs. Tazewell, Mason and Curle, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "for more effectually supplying the officers, soldiers and sailors of the Commonwealth, with the articles necessary for their comfortable accommodation;" and that Mr. Mason do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for settling the price of tobacco, and for ascertaining the fees of the register and other officers respecting the Land Office;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. C. Carter reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and being amended were agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Mason presented, according to order, a bill "for more effectually supplying the officers, soldiers and sailors of the Commonwealth, with the articles necessary for their comfortable accommodation;" and the same was received and read the first time, and ordered to be read the second time.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, "for settling and adjusting the titles of claimers to unpatented lands under the present and former government previous to the establishment of the Commonwealth's Land Office," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The House, proceeded to consider the said amendments, and the same being read, were agreed to.

*Ordered*, That Mr. Charles Carter do acquaint the Senate therewith.

"The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for the better regulation and discipline of the militia;" being read,

*Ordered*, That the same be put off till to-morrow.

Mr. Watkins reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, inspected several others, and found them to be truly enrolled.

*Ordered*, That Mr. Watkins do carry the bills to the Senate, for their inspection.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for raising a body of troops for the defence of the Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and also, on the bills, "for continuing an act, entitled 'an act, for fixing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms;" "for constituting a Court of Appeals;" "for reviving several pub-

lic warehouses for the inspection of tobacco;" and "for declaring who shall be deemed citizens of this Commonwealth;" being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That the order of the day, to proceed to-morrow, by joint ballot with the Senate, to the appointment of certain officers, be put off till Wednesday next.

*Ordered*, That Mr. Charles Carter do acquaint the Senate therewith.

And then the House adjourned till to-morrow morning, 9 o'clock.

## TUESDAY, June 22, 1779.

A bill, "for more effectually supplying the officers, soldiers, and sailors of the Commonwealth, with the articles necessary for their comfortable accommodation;" was read the second time, and ordered to be engrossed, and read the third time.

The Speaker laid before the House, a letter from Mr. Edmund Randolph, clerk of this House, containing his resignation of that appointment; and the same was read, and ordered to lie on the table.

*Ordered*, That Mr. John Beckley be appointed clerk to this House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "concerning escheats and forfeitures from British subjects;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. C. Carter reported, that the committee had, according to order, had the said bill under the consideration, and gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for establishing a Land Office, and for ascertaining the terms and manner of granting waste and unappropriated lands," with several amendments, to which they desire the concurrence of this House.

Also, to the bill, "for obliging the several delinquent counties and divisions of militia in this Commonwealth, to furnish every twenty-fifth man;" with an amendment, to which they desire the concurrence of this House.

They have also agreed to the resolutions, for paying a sum of money to Henry Singleton, and for making certain proposals to the Assembly of North Carolina. And then he withdrew.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have inspected several other enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for continuing an act, entitled 'an act, for appointing naval officers, and ascertaining their fees,'" with several amendments, to which they desire the concurrence of this House. And then he withdrew.

*Ordered*, That Messrs. Harvey, Peachey, Innes of York, and Mr. Rose, be added to the committee to whom the memorial of Messrs. Penett and Company is referred; and that any five of the said committee be a sufficient number to proceed to business.

The House proceeded to consider the amendments made by the Senate, to the bill, "for establishing a Land Office, and for ascertaining the terms and manner of granting waste and unappropriated lands;" and the same being read, were agreed to.

*Ordered*, That Mr. Charles Carter do acquaint the Senate therewith.

The House proceeded to consider the amendment made by the Senate, to the bill, "for obliging the several delinquent counties and divisions of militia in this Commonwealth to furnish every twenty-fifth man;" and the same being read, was agreed to.

*Ordered*, That Mr. Charles Carter do acquaint the Senate therewith.

*Ordered*, That Mr. Freeman Eppes, serjeant at arms to this House, have leave to be absent from the service of the House, for the remainder of the session, and that Mr. Thomas Russell be appointed to act in his room.

The House proceeded to consider the amendments made by the Senate, to the bill, entitled "an act, for continuing an act, entitled 'an act, for the appointment of naval officers, and ascertaining their fees,'" and the same being read, were agreed to with amendment.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith.

Mr. Charles Carter reported, from the committee to whom the bill, "for establishing several new ferries," was committed, that the committee had, according to order, had the said bill under their farther consideration, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for the better regulation and discipline of the militia;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the bill under their consideration, and gone through the same, and made several amendments thereto, which they had directed him to report, when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

*Ordered*, That the order of to-morrow, for proceeding by joint ballot with the Senate, to the appointment of certain officers, be put off till Tuesday next.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and also, upon the bills, "for continuing an act, entitled 'an act, for appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery, to appoint their own serjeant at arms,'" "for constituting a Court of Appeals;" "for raising troops for the defence of the Commonwealth;" "for reviving several public warehouses, for the inspection of tobacco;" and "for declaring who shall be deemed citizens of this Commonwealth;" being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That Messrs. McClanahan and Skillering, have leave to be absent from the service of this House, for the remainder of the session.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, June 23, 1779.

An engrossed bill, "concerning escheats and forfeitures from British subjects;" was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, concerning escheats and forfeitures from British subjects."

*Ordered*, That Mr. Charles Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for establishing several new ferries;" was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, for establishing several new ferries, and for other purposes."

*Ordered*, That Mr. Charles Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for settling the price of tobacco due for officers fees and the attendance of witnesses, and for ascertaining the fees of the register and other officers respecting the Land Office;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for regulating certain tobacco fees, and for other purposes."

*Ordered*, That Mr. Charles Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for more effectually supplying the officers, soldiers, and sailors of the Commonwealth, with the articles necessary for their comfortable accommodation;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for more effectually supplying the officers, soldiers and sailors of the Commonwealth, with the articles necessary for their comfortable accommodation."

*Ordered*, That Mr. Charles Carter do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Rutherford:

MR. SPEAKER,—The Senate have agreed to the resolution respecting evasions under the law allowing a substitute to exempt two militia-men from military duty. And then he withdrew.

The Speaker signed the following enrolled bills: "an act, for adding part of the county of Augusta to the county of Monongalia, and for other purposes;" "an act, for the manumission of a certain slave;" "an act, to secure the moveable property of those who have joined, or hereafter may join the enemy;" "an act, for farther suspending the payment of the salaries heretofore given to the clergy of the church of England;" "an act, for giving salaries to certain officers of government;" "an act, for disposing of the glebe of the parish of St. Anne, in the county of Albemarle, and for other purposes;" "an act, to repeal an act, entitled 'an act, to prohibit the distillation of spirits from corn, wheat, rye, and other grain, for a limited time,'" "an act, to restrict the delegates of this Commonwealth in Congress, from engaging in any trade, either foreign or domestic;" "an act, for punishing persons guilty of certain thefts and forgeries, and for fixing the allowance to sheriffs, veniremen, and witnesses, in certain cases."

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate have agreed to the amendment of this House, to the amendment of the Senate, to the bill, "for continuing an act, entitled 'an act, for appointing naval officers, and ascertaining their fees,'" with an amendment, to which they desire the concurrence of the Senate. And then he withdrew.

The House proceeded to consider the amendment to the amendment to the amendment: and the same being read, was agreed to.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith:



*Resolved*, That the commissioners appointed by an act of the General Assembly, entitled "an act, for extending the boundary line between Virginia, and North Carolina," be authorised and empowered to appoint a second surveyor, and a surgeon, to attend them in the execution of the aforesaid commission.

*Ordered*, That Mr. Harvey do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That the public printer do forthwith print 150 copies of the act, "for settling and adjusting the titles of claimers to unpatedented lands under the former and present government previous to the establishment of the Commonwealth's Land Office;" and also, 150 copies of the act, "for establishing a Land Office, and for settling the terms and manner of granting waste and unappropriated lands;" to be distributed by the members of the General Assembly among their respective counties.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for raising a body of troops for the defence of the Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which they had directed him to report, when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

A message from the Senate by Mr. Stevens:

MR. SPEAKER,—The Senate have agreed to the resolution that the commissioners for running the boundary line with North Carolina, be empowered to appoint a second surveyor, and a surgeon, to attend them. And then he withdrew.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act for establishing several new ferries." And then he withdrew.

Mr. Page reported, according to the order of the day, the amendments made by the committee of the whole House, to the bill "for raising a body of troops for the defence of the Commonwealth;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, and being amended, were agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Watkins reported from the committee appointed to examine the enrolled bills, that the committee had, according to order, inspected several others, and found them to be truly enrolled.

*Ordered*, That Mr. Watkins do carry the bills to the Senate for their inspection.

Mr. Tazewell presented, according to order, a bill "for supplying the army and navy with provisions;" and the same was received and read the first time, and ordered to be read a second time.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the appointment of a register of the Land Office.

*Ordered*, That Mr. Abraham Hite do carry the resolution to the Senate, and desire their concurrence.

The House proceeded to nominate persons proper to be ballotted for as an auditor of public accounts, in the room of Duncan Rose, Esq. appointed a member of the Board of Trade; as commissioners for running the boundary line between this State and Pennsylvania; as a major commandant to the four troops of horse to be raised pursuant to the act "concerning officers, soldiers, sailors, and marines;" and as a register of the Land Office.

*Ordered*, That Mr. Charles Carter do carry lists of the persons so nominated to the Senate.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and also upon the bills, "for continuing an act, entitled 'an act, for appointing the place for holding the High Court of Chancery, and General Court,' and for empowering the said High Court of Chancery, to appoint their own serjeant at arms;" "for constituting a Court of Appeals;" "for reviving several public warehouses for the inspection of tobacco;" and "for declaring who shall be deemed citizens of this Commonwealth," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

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#### THURSDAY, June 24, 1779.

An engrossed bill, "for the better regulation and discipline of the militia;" was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, for the better regulation and discipline of the militia."

*Ordered*, That Mr. Page do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, for more effectually supplying the officers, soldiers, and sailors of the Commonwealth, with the articles necessary for their comfortable accommodation," with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendment; and the same being read, was agreed to.

*Ordered*, That Mr. Charles Carter do acquaint the Senate therewith.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have inspected one other enrolled bill, and find it to be truly enrolled; and their Speaker hath signed the same.

The Speaker signed the enrolled bill, entitled “an act for settling and adjusting the titles of claimers to unpatented lands, previous to the establishment of the Commonwealth’s Land Office.”

Mr. Page reported, according to the order of the day, the amendments made by the committee of the whole House, to the bill “for raising a body of troops for the defence of the Commonwealth;” and he read the same in his place, and afterwards delivered them in at the clerk’s table, where the same were again twice read, and being amended, were agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Watkins reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, inspected one other, and found it to be truly enrolled.

*Ordered*, That Mr. Watkins do carry the bill to the Senate, for their inspection.

A bill “for supplying the army and navy with provisions,” was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

*Ordered*, That Mr. Taylor of Norfolk, have leave to be absent from the service of this House, for the remainder of the session.

Mr. Braxton presented, according to order, a bill “concerning gold and silver coin;” and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, “for continuing an act, entitled ‘an act, for reviving several public warehouses for the inspection of tobacco;’” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk’s table, where the same was again twice read and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to proceed to day, by joint ballot with this House, to the appointment of a register of the Land Office, and of persons proper to fill certain other vacant offices. They have also added one other person to the nomination of directors for the public buildings at Richmond. And then he withdrew.

The House proceeded, according to the order of the day, by joint ballot with the Senate, to the appointment of directors for the public buildings at Richmond; and the members having prepared tickets for the persons to be appointed, and put the same into the ballot glasses, Messrs. Harvey, Wilkinson, Strother, Anderson and W. Watkins, were nominated to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and to report to the House on whom the majority of votes should fall.

*Ordered*, That Mr. Harvey do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House, and reported that they had met a committee from the Senate in the conference room, and had jointly with them examined the ballot glasses, and found a majority of votes to fall on Turner Southall, the Hon. Archibald Cary, Robert Goode, James Buchanan, and Robert Carter Nicholas, Esquires.

The House proceeded in the same manner, to the appointment of an auditor of public accounts, in the room of Duncan Rose, Esq. appointed a member of the Board of Trade; and it appears from the report of Messrs. Page, Edmondson, Lyne and Carrington, the committee appointed to examine the ballot glasses, that the majority was in favor of Edward Archer, Esq.

The House proceeded in the same manner, to the appointment of three commissioners for running the boundary line between this State and Pennsylvania; and it appears from the report of Messrs. Gen. Nelson, Harvie, Burr Harrison, Byrd, and Innes of York, the committee appointed to examine the ballot glasses, that the majority was in favor of Thomas Lewis, Esq. the Rev. James Madison, and the Rev. Robert Andrews.

The House proceeded in the same manner, to the appointment of a major commandant to the four troops of horse; and it appears from the report of Messrs. Gen. Nelson, Harvie, Edmondson and Wells, the committee appointed to examine the ballot glasses, that the majority was in favor of John Nelson, Esq.

The House proceeded in the same manner, to the appointment of a register of the Land Office; and it appears from the report of Messrs. Charles Carter, Hite, Strother, Lee, Braxton and Wells, the committee appointed to examine the ballot glasses, that the majority was in favor of John Harvie, Esq.

*Resolved*, That Turner Southall, the Hon. Archibald Cary, Robert Goode, James Buchanan, and Robert Carter Nicholas, Esquires, be appointed directors of the public buildings at Richmond; Edward Archer, Esq. an auditor of public accounts, in the room of Duncan Rose, Esq. appointed a member of the Board of Trade; Thomas Lewis, Esq. the Rev. James Madison, and the Rev. Robert Andrews, commissioners for running the boundary line between this State and Pennsylvania; John Nelson, Esq. major commandant to the four troops of horse, pursuant to

the act, "concerning officers, soldiers, sailors, and marines;" and John Harvie, Esq. register to the Land Office; they having been so elected by joint ballot of both Houses of Assembly.

*Ordered*, That Mr. Charles Carter do carry the resolution to the Senate, and desire their concurrence.

An engrossed bill, "for raising a body of troops for the defence of the Commonwealth," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for raising a body of troops for the defence of the Commonwealth."

*Ordered*, That Mr. Page do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That a writ issue for the election of a delegate to serve in this present General Assembly, for the borough of Norfolk, in the room of William R. W. Curle, Esq. appointed a judge of the Court of Admiralty.

A bill, "concerning gold and silver coin," was read the second time, and ordered to be engrossed and read the third time.

*Ordered*, That the committee of the whole House, to whom the bill "for continuing an act, entitled 'an act, for appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms,'" was committed, be discharged from proceeding thereon; and that the said bill be engrossed and read the third time.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, on the bills "for constituting a Court of Appeals;" and for "declaring who shall be deemed citizens of this Commonwealth," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

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### FRIDAY, June 25, 1779.

An engrossed bill, "to amend an act, entitled 'an act, for reviving several public warehouses for the inspection of tobacco,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, to amend an act, entitled 'an act, for reviving several public warehouses for the inspection of tobacco.'"

*Ordered*, That Mr. Braxton do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "concerning gold and silver coin," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act concerning gold and silver coin."

*Ordered*, That Mr. Braxton do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for continuing an act, entitled 'an act, appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for continuing an act, entitled 'an act appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms.'"

*Ordered*, That Mr. Braxton do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate [*Here the Copy is defective.*]

regulating certain tobacco fees, and for other purposes," with several amendments, to which they desire the concurrence of this House; also to the bill, entitled "an act, for the better regulation and discipline of the militia," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendments of the Senate to the said bills respectively; and the same being read were agreed to.

*Ordered*, That Mr. C. Carter do acquaint the Senate therewith.

*Resolved*, That the Clothier General be allowed a salary of 1500*l.* per annum.

*Ordered*, That Mr. Page do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the galleys heretofore fixed by resolutions of the General Assembly to particular stations, be submitted to the direction of the Governor, with advice of the Council; and that they employ them as shall be most for the public good.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the Board of Trade be directed to examine into the state of the public salt works, and either to make sale, hire, or carry on the said works, as to them shall seem best; the money arising from such sale or hire to be lodged in the treasury office for the use of this Commonwealth.

*Ordered*, That Mr. Ball do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That Thomas Newton, Esq. ought to be allowed the sum of 120*l.*; the same being the valuation of a house which was destroyed by order of Convention with other property at Norfolk, and was omitted by mistake in the addition of his account of damages.

*Ordered*, That Mr. C. Carter do carry the resolution to the Senate, and desire their concurrence.



Whereas, great sums of money of the continental emissions of May 20, 1777, and April 11, 1778, have been sent out into the counties of Kentucky and Illinois, and other distant parts on the Western frontier of this Commonwealth for public service, and the persons possessed of the same, from their remote situation, could not have timely notice of the term limited by Congress for calling it in, and the good faith and credit of this Commonwealth stands engaged for the redemption of money, which, at the request of Congress, had by our laws been made a legal tender:

*Resolved, therefore,* That the delegates of this Commonwealth be instructed to apply to Congress, for a farther limitation of the time allowed for paying into the continental treasury or loan offices of the United States, the said emissions of money of May 20, 1777, and April 11, 1778, called out of circulation by a resolution of Congress.

*Ordered,* That Mr. Page do carry the resolution to the Senate, and desire their concurrence.

*Resolved,* That the persons appointed by the last Assembly to settle the accounts of the public trade under the management of Col. William Aylett, do make report of their proceedings therein to the Board of Trade; and that in case of the disability or refusal to act of the persons so appointed, the said Board be authorised to appoint any other proper person or persons in their stead; and that the Board of Trade make report thereof to the next session of Assembly.

*Ordered,* That Mr. Lyne do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House for giving a salary to the clothier general, and for the appointment of certain public officers; they have also inspected several other enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

The Speaker then signed the following enrolled bills: "an act, to constitute the Court of Admiralty;" "an act, for establishing a Land Office, and ascertaining the terms and manner of granting waste and unappropriated lands;" "an act, for obliging the several delinquent counties and divisions of militia in this Commonwealth to furnish every twenty-fifth man;" "an act, for establishing several new ferries, and for other purposes;" and "an act, for continuing an act, entitled 'an act for appointing naval officers and ascertaining their fees.'"

Mr. Mason reported, from the committee to whom the memorial of Messrs. Penett, Wendall and Company, was referred, that the committee had, according to order, had the same under their consideration, and come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved,* That the propositions made by Messrs. Penett and Company, are of great importance to this Commonwealth, and deserve the attention and utmost encouragement of the Legislature.

*Resolved,* That it will be the interest of this Commonwealth to convey to the said Messrs. Penett and Company, the interest of this Commonwealth in the canal, foundry, and other works, belonging to the public, at the falls of James river: the said Messrs. Penett and Company, securing to the public the full consideration money to be paid by them for the public interest in the canal, foundry, and other works, as aforesaid.

*Resolved,* That the Governor, with the advice of the Council, be empowered to purchase and convey to Messrs. Penett and Company, three thousand acres of land, as convenient as may be to the place where they shall erect their foundry; and also some place, on or near James river, proper for erecting a furnace, whereon ore, wood and water, may be found convenient for carrying on the works, together with a coal mine, as convenient to the foundry as possible: taking from the said Penett and Company, sufficient security for their reimbursing to the public, all monies advanced for the said purchases.

*Resolved,* That the Governor, with the advice of the Council, be empowered to appoint proper persons, who shall, in conjunction with Messrs. Penett and Company, or persons appointed by them, examine the places on both sides of James river, which may be proper for erecting such works as are proposed to be established by the said Company; who, if they shall find any such convenient place, other than Mr. Ballendine's, to be approved of by Messrs. Penett and Company, shall report the same to the Governor, who is hereby required to purchase from the proprietor of such place so much ground as may be necessary for erecting said works; and also that he purchase from all persons holding lands, through which it may be requisite to cut a canal or open a road to Richmond or Manchester, as the case may be, as much land as will be necessary for that purpose, and convey the same to Messrs. Penett and Company, taking sufficient security for the same, as required in the foregoing resolution.

*Resolved,* That the Governor, with the advice of the Council, be empowered to contract with Messrs. Penett and Company, that they shall reimburse to this Commonwealth such part of the money advanced in the purchases before directed, as they shall think proper, by the most speedy importation of arms and military stores; and that they farther contract with Messrs. Penett and Company, for an annual supply of cannon and small arms after the completion of their works, in such numbers, on such terms, and for so long a time, as they shall think proper.

*Ordered,* That Mr. Mason do carry the resolutions to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for constituting the Court of Appeals;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered,* That the bill, with the amendments, be engrossed and read the third time.

Mr. Mason reported, from the committee to whom the petition of John Ballendine was referred, that the committee had, according to order, had the same under their consideration, and had come to a resolution thereupon: which he read in his place, and afterwards delivered in at the clerk's table, where the same was read and agreed to as followeth:

*Resolved*, That the Governor, with the advice of the Council, be empowered and desired to appoint some proper persons to adjust and settle all matters and accounts between the Commonwealth and John Ballendine, respecting the furnace and lands in Buckingham county, and the lands, works, and canals, near Westham, in the county of Henrico, and to make true report thereof to the Governor and Council, who are thereupon empowered and desired to cause the contracts respecting the same, to be carried into speedy and effectual execution, on behalf of the Commonwealth, in such manner as they shall judge best, according to the true interest and intent of the same.

*Ordered*, That Mr. Mason do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the Rev. William Bland be allowed the sum of 100*l*. as a salary for his services as ordinary of Newgate, to commence from the first day of October 1778, and to be paid him in half yearly payments, so long as he may be continued in the said office.

*Ordered*, That Mr. Lync do carry the resolution to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for supplying the army and navy with provisions;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. C. Carter reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act concerning gold and silver coin." Also, to the bill, entitled "an act for continuing an act, entitled 'an act for fixing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms. And to the bill, entitled "an act, to amend 'an act entitled 'an act for reviving several public warehouses for the inspection of tobacco," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendments of the Senate to the said bill; and the same being read were agreed to.

*Ordered*, That Mr. C. Carter do acquaint the Senate therewith.

An engrossed bill, "for constituting the Court of Appeals," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for constituting the Court of Appeals."

*Ordered*, That Mr. Braxton do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Ellzey.

MR. SPEAKER,—The Senate have agreed to the several resolutions of this House respecting the memorial of Messrs. Penett and Company, and the petition of John Ballendine. For paying a sum of money to Thomas Newton. For discontinuing the publick salt works. For empowering the Governor to station certain galleys. Respecting the continental emissions of money called out of circulation by Congress. And for settling the accounts of the Public Trade under the management of William Aylett. And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole House on the bill, "for declaring who shall be deemed citizens;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House upon the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

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### SATURDAY, June 26, 1779.

An engrossed bill, "for supplying the army and navy with provisions," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for laying a tax, payable in certain enumerated commodities."

*Ordered*, That Mr. Charles Carter do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for declaring who shall be deemed citizens," was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for declaring who shall be deemed citizens."

*Ordered*, That Mr. Page do carry the bill to the Senate, and desire their concurrence.



A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill, entitled “an act for constituting the Court of Appeals.” They have also agreed to the resolution for giving a salary to Mr. Bland, ordinary of Newgate. And then he withdrew.

*Resolved*, That the Governor, with the advice of the Council, be empowered to appoint some proper person to adjust and settle the accounts now subsisting between the United States and this Commonwealth; who shall have free access to the different public offices for collecting the necessary papers and evidence, and full powers on behalf of the Commonwealth, for finally settling the said accounts in the city of Philadelphia, and to confer with the Virginia delegates in Congress thereon, to whom he is hereby recommended for their advice and assistance; and for his trouble and expenses therein, that he be allowed commissions, at the rate of two per centum, on whatsoever sum shall be due upon the settlement of the said accounts from the United States to this Commonwealth.

*Ordered*, That Mr. Mason do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the Board of War, be empowered and directed to settle all accounts of the late Navy Board; to complete their contracts, which remain unfinished, and to give orders for the payment of any sums that may remain due thereon.

*Ordered*, That Mr. Braxton do carry the resolution to the Senate, and desire their concurrence.

Mr. Charles Carter reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration sundry petitions and memorials to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to as followeth:

*Resolved*, that it is the opinion of this committee, That the farther consideration of the several petitions and memorials, now remaining undetermined before the said committee, be deferred till the next session of Assembly.

*Resolved*, That the Governor be desired to transmit by the post one hundred copies of the act “for establishing a Land Office, and ascertaining the terms and manner of granting waste and unappropriated lands,” to the Virginia delegates in Congress, and desire them to take the most speedy and effectual measures for dispersing and publishing the same in the different States.

*Ordered*, That Mr. Mason do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That a writ issue for the election of a delegate to serve in this present General Assembly for the county of Albemarle, in the room of His Excellency Thomas Jefferson, Esq. who hath accepted the office of Governor of the Commonwealth.

*Resolved*, That Messrs. Dixon and Nicholson be allowed the sum of 656*l*. for printing and binding the Journal of the Senate, for printing blank writs for the Speaker, and for advertising for sheriffs' returns, agreeable to account.

*Ordered*, That Mr. Tazewell do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the Governor, with the advice of the Council, be required immediately to banish from this Commonwealth all Tory Refugees, as described by the act entitled “an act concerning escheats and forfeitures from British subjects, who are now resident within this State;” and that he also take proper measures to prevent the return to this Commonwealth of any person who may come within the description of the said act.

*Ordered*, That Mr. Page do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Matthews.

MR. SPEAKER,—The Senate have agreed to the bill entitled “an act, for laying a tax in certain enumerated commodities.”

Whereas, the opening of the Land Office renders it necessary that the clerks and surveyors of the frontier counties be immediately supplied with record books, which cannot be done if the ordinary method of procuring them by county courts should be pursued:

*Resolved*, That the treasurer, upon the auditor's warrant, do pay the expenses of purchasing such books for the counties of Monongalia, Yohogania, Ohio, and Kentucky, and send them to the respective counties. That the auditors charge such expenses to the respective counties, and transmit an account thereof to the justices of the said counties, to be levied in their next county levy, and repaid the public.

*Ordered*, That Mr. Charles Carter do carry the resolution to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Charles Carter reported, that the committee had, according to order, again had under their consideration the state of the Commonwealth, and gone through the same and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the delegates of this Commonwealth in Congress be instructed to apply to that body, on behalf of the Commonwealth, that the two state regiments now in their service be placed on continental establishment, and that the rank of the officers be settled agreeable to the regulations of the army.

*Ordered*, That Mr. Charles Carter do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Griffin:

MR. SPEAKER,—The Senate have agreed to the bill, entitled, “an act for declaring who shall be deemed citizens.” And then he withdrew.



A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for paying a sum of money to Messrs. Dixon and Nicholson. They have also agreed to the bill, entitled “an act for raising a body of troops for the defence of the Commonwealth,” with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments, and the same being read were agreed to.

Ordered, That Mr. Page do acquaint the Senate therewith.

Resolved, That the following allowances be made to the officers of the General Assembly:

To the Rev. James Madison, chaplain,	-	-	£ 200
To Mr. Edmund Randolph, late clerk of the House of Delegates,	-	-	1,000
To Mr. John Beckley, present clerk of ditto,	-	-	150
To the said John Beckley, as late clerk of the Senate,	-	-	500
To Mr. William Drew, present clerk of ditto,	-	-	75
To Mr. Edmund Pendleton, clerk of the committees of Privileges and Elections and Propositions and Grievances,	-	-	300
To Mr. William Drew, as late clerk of the committees of Courts of Justice and of Trade,	-	-	200
To Mr. Hinde Russell, present clerk of the said committees,	-	-	50
To Mr. William Russell, clerk to the committee for Religion,	-	-	150
To Mr. Freeman Eppes, serjeant at arms to the House of Delegates,	-	-	400
To Mr. Bartlett Williams, late serjeant at arms to the Senate,	-	-	40
To Mr. William Pierce, present serjeant at arms to the Senate,	-	-	400
To Robert Hyland, William Drinkard, William Hicks and John Creagh, door-keepers to the House of Delegates, each,	-	-	275
To Thomas Paul and William Hicks, jun. door-keepers to the Senate, each,	-	-	275
To Robert Hyland, for cleaning the capitol,	-	-	50

Ordered, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

Resolved, That Messrs. Clarkson and Davis be allowed the annual sum of two thousand pounds, to be paid in quarterly payments, for printing the Journals of the two Houses of Assembly, orders of the Governor and Council, proclamations, inspectors' notes, &c. exclusive of paper, which is to be found at the public expense.

Ordered, That Mr. Braxton do carry the resolution to the Senate, and desire their concurrence.

Resolved, That the Governor, by and with the advice of the Council, be desired and empowered to appoint a colonel commandant, to take command of all the troops raised and to be raised for the defence of the lower parts of this State, during the recess of the Assembly.

Ordered, That Mr. Page do carry the resolution to the Senate, and desire their concurrence.

Resolved, That the sum of 600*l.* be advanced to the clerks of the committee of Revisors, to be divided amongst them in such manner as the said committee shall think reasonable.

Ordered, That Mr. Harvie do carry the resolution to the Senate, and desire their concurrence.

Resolved, That when this House adjourns it will adjourn until the first Monday in October next.

Ordered, That Mr. Charles Carter do acquaint the Senate therewith.

A message from the Senate by Mr. Rutherford:

MR. SPEAKER,—The Senate have agreed to the resolution of this House, for giving a salary to Messrs. Clarkson and Davis, the public printers. And then he withdrew.

Mr. Watkins reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, inspected several others, and found them to be truly enrolled.

Ordered, That Mr. Watkins do carry the bills to the Senate for their inspection.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolution of this House for making certain allowances to the officers of the General Assembly, with several amendments, to which they desire the concurrence of this House. They have also agreed to the resolution for banishing certain Tory Refugees, with an amendment, to which they desire the concurrence of this House. And to the resolution for furnishing the frontier counties with books and paper. And then he withdrew.

The House proceeded to consider the amendments of the Senate to the resolution for making certain allowances to the officers of the General Assembly, and the same being read were disagreed to.

Ordered, That Mr. Lee do acquaint the Senate therewith.

The House proceeded to consider the amendment of the Senate to the resolution for banishing certain Tory Refugees, and the same being read was disagreed to.

Ordered, That Mr. Page do acquaint the Senate therewith.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for empowering the Governor and Council to appoint a proper person to settle the accounts of the Commonwealth against the United States. For empowering the Board of War to complete the contracts of the late Navy Board. And for transmitting 100 copies of

the act "for establishing a Land Office, and ascertaining the terms and manner of granting waste and unappropriated lands," to the delegates of this Commonwealth in Congress. And then he withdrew.

A motion was made that the House do come to the following resolution:

Whereas, two independent companies of infantry were raised on the Western frontier of this Commonwealth, and stationed at Forts Pitt and Randolph, under the command of Captains Heath and Ohano, until they were incorporated into the ninth Virginia regiment, commanded by Colonel John Gibson, which service and arrearage of clothing is now due to them, which they have not been able to obtain, also half a year's pay by an act of 1778.

*Resolved, therefore,* That the said two companies of infantry are entitled to receive the clothing due to them, or the value thereof in money, as is directed to other soldiers of this Commonwealth, under the act passed this session of Assembly, entitled "an act concerning soldiers, sailors, and marines," and a half year's pay, as other soldiers mentioned in the act of 1778.

And the said resolution being read a second time, was ordered to lie on the table.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have receded from their amendments to the resolution for making certain allowances to the officers of the General Assembly; and they do insist on their amendment to the resolution for banishing certain Tory Refugees. And then he withdrew.

The said amendment being read, and the question put that this House do adhere to their disagreement thereto, It was resolved in the affirmative.

*Ordered,* That Mr. Page do acquaint the Senate therewith.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have inspected several other enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have receded from their amendment to the resolution for banishing certain Tory Refugees: also they have agreed to the resolution of this House for paying a sum of money to the clerks of the committee of Revisors. And then he withdrew.

The Speaker then signed the following enrolled bills:

"An act for constituting the Court of Appeals."

"An act for the better regulation and discipline of the militia."

"An act concerning escheats and forfeitures from British subjects."

"An act for more effectually supplying the officers, soldiers, and sailors of the Commonwealth, with the articles necessary for their comfortable accommodation."

"An act for continuing an act, entitled 'an act appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms.'"

"An act concerning gold and silver coin."

"An act for regulating certain tobacco fees, and for other purposes."

"An act to amend an act, entitled 'an act for reviving several public warehouses for the inspection of tobacco.'"

"An act for laying a tax payable in certain enumerated commodities."

"An act for declaring who shall be deemed citizens."

And "An act for raising a body of troops for the defence of the Commonwealth."

And then the House adjourned until the first Monday in October next.

# JOURNAL

OF THE

## HOUSE OF DELEGATES

OF THE

COMMONWEALTH OF VIRGINIA;

BEGUN AND HELD AT THE CAPITOL,

IN THE CITY OF WILLIAMSBURG,

*ON MONDAY, THE FOURTH DAY OF OCTOBER, IN THE YEAR OF OUR LORD  
ONE THOUSAND SEVEN HUNDRED AND SEVENTY-NINE.*

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RICHMOND:

PRINTED BY THOMAS W. WHITE, OPPOSITE THE BELL-TAVERN.

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**JOURNAL**  
OF THE  
**HOUSE OF DELEGATES.**

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**GENERAL ASSEMBLY.**

*BEGUN and holden at the Capitol, in the City of Williamsburg, on Monday, the 4th day of October,  
in the year of our Lord one thousand seven hundred and seventy-nine.*

---

MONDAY, October 4, 1779.

The House met according to their adjournment; and two members, returned upon new writs, having taken the oaths appointed by law, took their seats in the House.

But the number not being sufficient to proceed to business,

The House adjourned till to-morrow morning, 10 o'clock.

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TUESDAY, October 5, 1779.

The House met according to their adjournment; and two members, returned upon new writs, having taken the oaths appointed by law, took their seats in the House.

But the number not being sufficient to proceed to business,

The House adjourned till to-morrow, 12 o'clock.

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WEDNESDAY, October 6, 1779.

The House met according to their adjournment.

But the number not being sufficient to proceed to business,

The House adjourned till to-morrow, 12 o'clock.

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THURSDAY, October 7, 1779.

The House met according to their adjournment; and forty-one members, besides the Speaker, appearing,

*Ordered*, That the House be called over immediately.

The House being accordingly called over, the names of the members who failed to appear were noted; and the names of those who made default being again called over, some were excused on account of sickness, employments in the service of the public elsewhere, and other justifiable avocations.

*Ordered*, That the serjeant at arms attending this House, take into his custody James Henry and John Teacle, members for the county of Accomac; Samuel Sherwin, member for the county of Amelia; John Rose, member for the county of Amherst; Zachariah Johnson and John Cunningham, members for the county of Augusta; James Buford, member for the county of Bedford; Moses Hunter, member for the county of Berkeley; William M'Clanahan and George Skillering, members for the county of Botetourt; Joseph Greenhill, member for the county of Brunswick; Anthony Winston, member for the county of Buckingham; Thomas Lomax, member for the county of Caroline; John Tyler, member for the county of Charles City; Jerman Baker, member for the county of Chesterfield; George Weatherall, member for the county of Culpeper; William Watkins and Joseph Jones, members for the county of Dinwiddie; Thompson Mason, member for the county of Elizabeth City; William Roane, member for the county of Essex; George Mason, member for the county of Fauquier; Isaac Zane, member for the county of Frederick; John Whiting and John Fox, members for the county of Gloucester; John Hopkins, member for the county of Goochland; Micajah Watkins and John Coleman, members for the county of Halifax; John Powell, member for the county of Henrico; William Norvell, member for the county of James City; John S. Wills and Josiah Parker, members for the county of Isle of Wight; Richard Callaway and James Harrod, members for the county of Kentucky; Thomas Rowe, member for the county of King and Queen; Carter Braxton and Holt Richeson, members for the county of King William; William Ball, member for the county of Lancaster; Thomas Johnson, member for the county of Louisa; Robert Munford, member for the county of Mecklenburg; George Bird and William Harvey, members for the county of Middlesex; John Peirce Duval, member for the county of Monongalia; Walter Crockett and William Doah, members for the county of Montgomery; John Brickell, member for the county of Nansemond; Thomas Newton and James Taylor, members for the county of Norfolk; John Stratton, member for the county of Northampton; John Hull and William Lee, members for the county of Northumberland; Andrew Robison and Samuel M'Culloch, members for the county of Ohio; William Moore and Charles Porter, members for the county of Orange; Benjamin Lankford and John Wilson, members for the county of Pittsylvania; William Mayo, jun. member for the county of Powhatan; John Thoroughgood and William Robinson, members for the county of Princess Anne; William Peachey, member for the county of Richmond; William M'Kee and Alexander Stewart, members for the county of Rockbridge; Silas Hart and John Gratton, members for county of Rockingham; Abraham Bird and John Tipton, members for the county of Shenandoah; Gray Judkins, member for the county of Sussex; Cole Digges, member for the county of Warwick; John Augustine Washington, member for the county of Westmoreland; David Campbell and Isaac Shelby, members for the county of Washington; William Harrison and James Innes, members for the county of Yohogania; Thomas Nelson, jun. member for the county of York; and John Hutchings, member for the borough of Norfolk.

*Ordered*, That the names of the members present be published in the Virginia Gazette, to wit:

The Hon. Mr. Speaker.		
Mr. John Pride.	Mr. John Brent.	Mr. John Tabb.
Nicholas Cabell.	Jesse Cogbill.	John Edmondson.
Joseph Peebles.	George Carrington.	Martin Pickett.
Joseph Curd.	Beverley Randolph.	George Thompson.
John Taylor.	French Strother.	Stephen Sampson.
Abraham Hite.	John Skinker.	George Benskin Poindexter.
William Aylett Booth.	Robert Anderson.	John Hooe.
John Pendleton.	John Garland.	Mann Page, jun.
Peter Saunders.	Samuel Goode.	James Garrard.
George Lyne.	Armistead Russell.	Allen Cocke.
John Washington.	Thomas Flournoy.	William Brown.
Henry Gee.	Richard Lee.	Henry Tazewell.
Edward Haywood.	William Reynolds.	Levin Powell.

And then the House adjourned till to-morrow, 12 o'clock.

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FRIDAY, October 8, 1779.

The House being informed that Mr. John Peirce Duval, one of the members for the county of Monongalia, and Mr. John Hutchings, member for the borough of Norfolk, attended in custody of the serjeant at arms; and it appearing that there was good cause to excuse their absence, when the House was called over on Thursday last,

*Ordered*, That the said John Peirce Duval and John Hutchings be discharged out of custody, without paying fees.

The House being informed, that Mr. Robert Munford, one of the members for the county of Mecklenburg, attended in custody of the serjeant at arms,

*Ordered*, That the said Robert Munford be discharged out of custody, paying fees.

There not being a sufficient number of members to proceed to other business,

The House adjourned till to-morrow morning, 9 o'clock.



## SATURDAY, October 9, 1779.

The House being informed, that Messrs. William Watkins and Joseph Jones, members for the county of Dinwiddie, and Mr. Carter Braxton, one of the members for the county of King William, attended in custody of the serjeant at arms,

*Ordered*, That the said William Watkins, Joseph Jones, and Carter Braxton, be discharged out of custody, paying fees.

There not being a sufficient number of members to proceed to other business,

The House adjourned till Monday, 12 o'clock.

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## MONDAY, October 11, 1779.

The House being informed, that Mr. Benjamin Lankford, one of the members for the county of Pittsylvania; Mr. John Thoroughgood, one of the members for the county of Princess Anne; Gen. Nelson, one of the members for the county of York; Mr. James Taylor, one of the members for the county of Norfolk; Mr. John Coleman, one of the members for the county of Halifax; Mr. Jerman Baker, one of the members for the county of Chesterfield; Mr. Cole Digges, one of the members for the county of Warwick; Mr. Samuel Sherwin, one of the members for the county of Annelia; Mr. John S. Wills, one of the members for the county of Isle of Wight; Mr. John Tyler, one of the members for the county of Charles City; Mr. Thomas Lomax, one of the members for the county of Caroline; and Mr. William Moore, one of the members for the county of Orange; attended in custody of the serjeant at arms.

*Ordered*, That said Benjamin Lankford, John Thoroughgood, Gen. Nelson, James Taylor, John Coleman, Jerman Baker, Cole Digges, Samuel Sherwin, John S. Wills, John Tyler, Thomas Lomax, and William Moore, be discharged out of custody, paying fees.

The House being informed, that Mr. William Hutchinson, one of the members for the county of Greenbrier; and Mr. John Powell, one of the members for the county of Henrico; attended in custody of the serjeant at arms; and that there was good cause to excuse their absence, when the House was called over on Thursday last,

*Ordered*, That the said William Hutchinson and John Powell, be discharged out of custody, paying fees.

There not being a sufficient number of members to proceed to other business,

The House adjourned till to-morrow, 12 o'clock.

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## TUESDAY, October 12, 1779.

Two members, returned upon a new writ, having taken the oaths appointed by law, took their seats in the House.

The House being informed, that Mr. Holt Richeson, one of the members for the county of King William, and Mr. Micajah Watkins, one of the members for the county of Halifax, attended in custody of the serjeant at arms,

*Ordered*, That the said Holt Richeson and Micajah Watkins, be discharged out of custody, paying fees.

There not being a sufficient number of members to proceed to other business,

The House adjourned till to-morrow morning, 11 o'clock.

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## WEDNESDAY, October 13, 1779.

The House being informed, that Mr. William Roane, one of the members for the county of Essex; Mr. Joseph Greenhill, one of the members for the county of Brunswick; Mr. John Rose, one of the members for the county of Amherst; Mr. Thomas Rowe, one of the members for the county of King and Queen; and Mr. George Weatherall, one of the members for the county of Culpeper, attended in custody of the serjeant at arms,

*Ordered*, That the said William Roan, Joseph Greenhill, John Rose, Thomas Rowe, and George Weatherall, be discharged out of custody, paying fees.

The House being informed, that Mr. Richard Callaway, one of the members for the county of Kentucky; and Messrs. James Henry and John Teacle, members for the county of Accomac, attended in custody of the serjeant at arms, and that there was good cause to excuse their absence, when the House was called over on Thursday last,

*Ordered*, That the said Richard Callaway, James Henry, and John Teacle, be discharged out of custody, without paying fees.

*Ordered*, That Mr. John Beckley be appointed clerk of this House.

*Ordered*, That the Rev. James Madison, be appointed chaplain to this House, and that he attend to read prayers at 8 o'clock, every morning.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith.

*Ordered*, That Mr. Freeman Eppes, be appointed serjeant at arms to this House.

*Ordered*, That writs issue for the election of delegates to serve in this present General Assembly; for the county of Henry, in the room of Abraham Penn, Esq., who hath accepted the office of an escheator; for the county of Spottsylvania, in the room of Beverley Winslow, Esq., who hath accepted the office of a land commissioner; for the county of Fluvanna, in the room of Thomas Napier, Esq., who hath accepted the office of an escheator; for the county of Berkeley, in the room of Thomas Hite, Esq., deceased; for the county of Charlotte, in the room of Edmund Reade, Esq., who hath accepted of a military commission; for the county of Loudoun, in the room of Francis Peyton, Esq., who hath accepted the office of a land commissioner; and for the county of Stafford, in the room of Charles Carter, Esq., who hath accepted of a sheriff's commission.

*Ordered*, That William Hicks, John Creagh, and William Drinkard, be appointed door-keepers to this House, and that they give their attendance accordingly.

A petition of Frances Hyland, on behalf of her son Robert Ormston, praying that he may be appointed door-keeper to this House; and also

A petition of George Lafong for the same; and also

A petition of Walter Lenox for the same; and also

A petition of John Jones for the same; and also

A petition of Daniel Hix for the same; and also

A petition of William Urie for the same; and also

A petition of Matthew Pate for the same,

Were severally presented to the House and read.

*Resolved*, That the said door-keeper be chosen by ballot immediately.

The House accordingly proceeded to ballot for the said door-keeper; and the members having prepared tickets for the person to be appointed, and put the same into the ballot glasses, Messrs. Gen. Nelson, Pendleton, Tazewell, Richard Lee, and Tyler, were nominated a committee to examine the ballot glasses, and to report to the House on whom the majority of votes should fall.

The committee then withdrew; and after some time returned into the House, and reported that they had accordingly to order, examined the ballot glasses, and found a majority of votes to fall on Daniel Hix.

*Ordered*, That the said Daniel Hix be appointed a door-keeper to this House, and that he give his attendance accordingly.

*Ordered*, That a committee for Religion be appointed.

And a committee was appointed, of Messrs. Carrington, Moore, Gee, Wills, Garland Anderson, Robert Anderson, Wm. Watkins, Peebles, Pride, Pendleton, Rose, Page, and Micajah Watkins; and they are to meet and adjourn from day to day, and to take under their consideration all matters and things relating to religion and morality, and all such as shall be from time to time referred to them, and report their proceedings, with their opinion thereupon, to the House; and the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee of Privileges and Elections be appointed.

And a committee was appointed, of Messrs. Braxton, Page, Tazewell, Tyler, Pendleton, Carrington, Rowe, Garland Anderson, Hutchings, Munford, Lewis, Lee, John Washington, Robert Anderson, Cocke and Edmondson; and they are to meet and adjourn from day to day, and to examine in the first place all returns of writs for electing delegates to serve in this present General Assembly, and compare the same with the form prescribed by law; and to take into their consideration all such matters as shall or may come in question, touching returns, elections, and privileges; and to report their proceedings, with their opinions thereupon, from time to time, to the House; and the said committee are to have power to send for persons, papers, and records, for their information.

*Resolved*, That in all cases of controverted elections to be heard at the bar of this House, or before the committee of Privileges and Elections, the petitioners do by themselves or their agents, within a convenient time to be appointed either by the House or the committee of Privileges and Elections, as the matter to be heard shall be before the House or the said committee, deliver to the sitting members, or their agents, lists of the persons intended by the petitioners to be objected to, who voted for the sitting members, giving in the said lists the several heads of objection, and distinguishing the same against the names of the voters excepted to; and that the sitting members do by themselves, or their agents, within the same time, deliver the lists on their parts to the petitioners or their agents.

*Ordered*, That a committee of Propositions and Grievances be appointed.

And a committee was appointed of Messrs. Gen. Nelson, Goode, Edmondson, Strother, Brown, Tyler, James Johnson, Skinker, Flournoy, Levin Powell, Hooe, Henry, Sherwin, Jones, Page, Simpson, Taylor, Garrard, Micajah Watkins, Lyne, Burr Harrison, Moore, Tazewell, Pickett, William Watkins, Munford, Lomax, Russell, Levin Powell, Wilkinson, Baker, Coleman, John Taylor, Thompson, Cabell, John Powell, Cocke, Richeson, Tabb, Gilmer, Randolph, Rose, Poindexter and Braxton; and they are to meet and adjourn from day to day, and to take into their consideration all propositions and grievances that shall or may come legally certified to this Assembly, and to report their proceedings, with their opinions thereupon, to the House; and all such propositions and grievances are to be delivered to the clerk of the House, and by him to the said committee of course; and the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee for Courts of Justice be appointed.

And a committee was appointed, of Messrs. Lyne, John Taylor, Munford, Henry, Tyler, Pride, Carrington, Skinker and Reynolds; and they are to meet and adjourn from day to day, and to take into their consideration all matters relating to Courts of Justice, and such other matters as shall from time to time, be referred to them, and report their proceedings, with their opinions thereupon, to the House; and the said committee are to inspect the Journals of the last session, and draw up a state of the matters then depending and undetermined, and the progress that was made therein, and report the same, with their opinion thereupon, to the House; and also examine what laws have expired since the last session, and inspect such temporary laws as will expire with the end of this session, or are near expiring, and report the same to the House, with their opinions which of them are fit to be revived and continued; and the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee of Trade be appointed.

And a committee was appointed, of Messrs. Richard Lee, Jones, Burr Harrison, Edmondson, Moore, Baker, Lyne, Garland Anderson, Reynolds, Hutchings, Pickett, Digges, Harwood, James Taylor, Wills, Booth and Teacle; and they are to meet and adjourn from day to day, and to take into their consideration all such things relating to the trade of this Commonwealth, and all matters that shall be from time to time to them referred, and to report their proceedings, with their opinions thereupon, to the House; and the said committee are to have power to send for persons, papers, and records, for their information.

*Resolved*, That eleven of the committee of Propositions and Grievances, seven of the committee of Privileges and Elections, and five of any other committee, be a sufficient number to make a committee.

*Ordered*, That Mr. William Russell be appointed clerk to the committee for Religion, Mr. Edmund Pendleton, jun. clerk to the committees of Privileges and Elections and Propositions and Grievances, and Mr. Hinde Russell clerk to the committees for Courts of Justice and of Trade.

The Speaker laid before the House a letter from Joseph Jones, Esq. one of the judges of the General Court; also a letter from Robert Lawson, Esq. a member of the Board of War; and a letter from Gabriel Jones, Esq. a delegate to represent this Commonwealth in Congress, severally containing the resignation of their respective appointments, which were read, and ordered to lie on the table.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, October 14, 1779.

The House being informed that Mr. Anthony Winston, one of the members for the county of Buckingham, Mr. Moses Hunter, one of the members for the county of Berkeley, Mr. James Buford, one of the members for the county of Bedford, and Mr. Gray Judkins, one of the members for the county of Sussex, attended in custody of the serjeant at arms,

*Ordered*, That the said Anthony Winston, Moses Hunter, James Buford, and Gray Judkins, be discharged out of custody, paying fees.

The House being informed that Mr. John Talbot, one of the members for the county of Bedford, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Thursday last,

*Ordered*, That the said John Talbot be discharged out of custody, without paying fees.

A petition of the commissioners of the tax for the county of Prince William was presented to the House, and read; setting forth, that when the justices of the county were appointed to offer the oath of allegiance to the State, they omitted to tender it to several of the citizens; and to some who proposed to take it, it was refused for want of proper certificates; that those people, except a very few, were not informed of the subsequent act made to relieve them in time to take advantage of it, so that they remain subjected to a treble tax, and the other penalties incurred by non-jurors, and praying relief on their behalf.

Also, a petition of John Nelson to the same effect.

Also, a petition of Joseph Holt to the same effect.

Also, a petition of John Powell to the same effect.

Also, a petition of sundry inhabitants of the county of Kentucky, whose names are thereunto subscribed; setting forth, that from the remote and exposed situation of that country, they have sustained great losses and injuries, and experienced considerable risk and danger in the settlement of it, by the incursions of the Indians, who have been instigated to wage a continued war against them from the intrigues of Governor Hamilton and other British emissaries; that the privilege of four hundred acres of land to each settler is an inadequate compensation; and that from their losses they are incapacitated from procuring any additional quantities at the stated price, and praying relief.

Also a petition of sundry inhabitants of the county of Prince William, whose names are thereunto subscribed; setting forth, that the situation of their courthouse in the town of Dumfries is inconvenient and burthensome to three-fourths of the inhabitants of the said county, and praying that it may be removed to some place more central and convenient.

Also, a petition of the commissioners and assessors of the tax for the county of Brunswick; setting forth, that after having laid off their districts and agreed upon a mode of assessment, they were obliged to alter the same, in



consequence of a late act of Assembly, which, together with the death of some of the assessors, the refusal to act of others, and many unavoidable delays, elapsed the time limited by law for making their returns, whereby the petitioners become liable to the penalties of the said act, and praying relief.

Also, a petition of sundry inhabitants of the county of Albemarle, whose names are thereunto subscribed; setting forth, that the opportunity given to opulent individuals of purchasing lands under a late law, without restriction as to the time and manner of settling the same, will be of prejudice to the strength of the frontier settlements, as well as unjust and oppressive to the poor; that the necessity of creating a sinking fund in aid of the annual taxes should not countenance such a measure, when it is considered that the whole are not only ready with their lives, but also with their fortunes, to support the necessary exigencies, of the State, and praying that such restriction may be adopted.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of Isaac Hite, with a certificate of the auditors of public accounts thereupon, was presented to the House, and read; setting forth, that while in the militia service under Capt. John Todd, at Boonsborough, he was wounded in his right shoulder in an engagement with the Indians, spent upwards of 400*l.* in effecting his cure, and is now unable to obtain a livelihood by labor.

Also a petition of Maximilian Calvert; setting forth, that in the year 1776, a trading vessel of the petitioner's was taken by order of the committee of Safety, and converted into an armed vessel for the protection of the trade of James river; that she was never valued, nor no satisfaction made him for the same, and praying to be paid her value.

*Ordered*, That the said memorial and petition be referred to the committee of Public Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the Rev. Charles Clay, was presented to the House, and read; setting forth, that the act of the last session of Assembly for disposing of the glebe of the parish of St. Anne, in the county of Albemarle, as it tends to dispossess him of his right of tenancy thereof, will be distressing and injurious to the petitioner; that by agreement with the vestry of the said parish, an arrearage of tobacco is due for his salary as rector thereof from the year 1774; and praying that his right of tenancy in the said glebe may be reserved to him, and the payment of the arrearage of tobacco aforesaid, or money in lieu thereof, according to its present value, enforced.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### FRIDAY, October 15, 1779.

The House being informed that Mr. Zachariah Johnson, one of the members for the county of Augusta, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Thursday last,

*Ordered*, That the said Zachariah Johnson be discharged out of custody, without paying fees.

The House being informed that Mr. George Mason, one of the members for the county of Fairfax, attended in custody of the serjeant at arms,

*Ordered*, That the said George Mason be discharged out of custody, paying fees.

A petition of David Galloway and Burdit Ashton, was presented to the House, and read; setting forth, that they intermarried with Margaret and Sarah, daughters of James Blair, deceased, who died intestate, leaving certain lands, which descended to his two daughters and two other younger daughters in coparcenary; that it will be greatly to the interest of the parties concerned that the said lands should be sold, and the monies applied to the use of the petitioners, and in the purchase of other lands for the younger daughters, and praying that an act may pass for that purpose.

Also, a petition of Thomas Swearingen; setting forth, that he is nearly affected in his own right, and his father's family, to whom he is executor, greatly aggrieved by a late act of Assembly, which establishes a ferry from the land of Abraham Shepherd, in the county of Berkeley, over Potowmac river, to the land of Thomas Swearingen, in the State of Maryland, and praying that the said act may be repealed.

Also, a petition of sundry inhabitants of the county of Berkeley, whose names are thereunto subscribed, in opposition thereto.

Also, a petition of Isaac Hite and Caleb Wallace; setting forth, that being possessed on behalf of themselves, and sundry persons on the Western waters, with treasury certificates for a considerable sum of the continental emissions of money called out of circulation by Congress, they were prevented by their remote situation from exchanging the same in time, and by a late resolution of Congress the same cannot now be drawn from their treasury before March next, and praying that the treasurer of this State may be instructed to receive all such certificates for the said emissions, as cash, for pre-emption, and treasury warrants for vacant land, from those who offer them in payment.

Also, a petition of sundry inhabitants of the county of Charlotte, whose names are thereunto subscribed; setting forth, that they conceive that deserters from the American army should be punished with a deprivation of their equal privileges with other citizens of purchasing lands and acquiring property; and praying that an act may pass by which all lands and other property, which shall be acquired by any deserter during the time of his desertion, may be

Also, a petition of sundry inhabitants of the county of Caroline, whose names are thereunto subscribed; setting forth, the inconveniences which they suppose may arise from the act of the last session of Assembly, entitled "an act, concerning escheats and forfeitures from British subjects;" and that they are apprehensive it may be detrimental to the State, injurious to individuals, and productive of difficulty on a treaty of peace; and praying that the said act may be repealed, or such step taken therein, as the wisdom of this House may judge necessary.

Also, a petition of sundry inhabitants of the counties of Amherst and Buckingham, whose names are thereunto subscribed; setting forth, that so much of the act of Assembly for reviving several public warehouses for the inspection of tobacco, as imposes a tax of twelve shillings per hogshhead on tobacco for every month it shall remain in the warehouse exceeding twelve, is injurious to the staple of tobacco, and oppressive to the people; and praying that it may be repealed.

Also a petition of sundry inhabitants of the counties of Amherst, Albemarle, and Buckingham, whose names are thereunto subscribed; setting forth, that they foresee great inequality in the act of Assembly for laying a tax payable in certain enumerated commodities; that the expenses which will necessarily accrue in carrying the said law into execution will prevent it from answering any salutary purposes, and greatly tend to distress the people; and praying that the same may be repealed.

*Ordered*, That the said petition's be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A motion was made, and the question being put that the House come to the following resolution:

*Resolved*, That the treasurer of this Commonwealth do receive any loan office certificates of this State, in payment for warrants to be issued by the register of the land office, and also all the interest due thereon, to the day on which any such certificates shall be received.

It passed in the negative.

*Resolved*, That the resolution be rejected.

*Ordered*, That the committee for Courts of Justice, be discharged from reporting from the Journals of the last session the several petitions and propositions then depending and undetermined; and that all such petitions and propositions be delivered of course to the proper committees.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the commissioners of the tax, assessors, and sheriff, of the county of Brunswick, praying that farther time may be given the assessors to make their assessments and returns, and the sheriffs to collect the taxes of the said county than is now allowed by law, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of John Powell, Joseph Holt, and John Nelson, praying that they may be relieved from paying treble taxes, and that a farther time may be allowed to take the oath of fidelity to the State, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of the commissioners of the tax for the county of Prince William, praying that a farther time may be given for taken the oath of fidelity to the State, and that those who are subject to the payment of treble taxes may be relieved, is reasonable.

A motion was made, and the question being put that the first of the said resolutions be recommitted to the same committee,

It was resolved in the affirmative.

The 2d and 3d resolutions were read a second time, and agreed to by the House.

*Ordered*, That a bill or bills be brought in pursuant to the 2d and 3d resolutions, and that the committee of Propositions and Grievances do prepare and bring in the same.

A petition of sundry inhabitants of the county and parish of Amherst, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the division of the said parish, agreeable to a late act of Assembly, is found to be inconvenient, and praying for a more equal division thereof, agreeable to certain boundaries therein expressed.

Also, a petition of sundry inhabitants of the parish of Drysdale, in the counties of King and Queen and Caroline, whose names are thereunto subscribed; setting forth, that the great extent of the said parish renders it very inconvenient to the inhabitants thereof, and praying that a new parish may be laid off at the upper end of the said parish of Drysdale, agreeable to certain boundaries therein expressed.

Also, a petition of the churchwardens and vestry of the parish of Antrim, in the county of Halifax; setting forth, that from the removal and resignation of several of the vestry, there remains but one more than a majority to hold a vestry, and that part of those remaining are deficient in attending, so that the business of the parish is altogether neglected; that the glebe lands are inconveniently situated, and almost worn out; and praying that the vestry of the said parish may be dissolved, and the glebe lands sold, and the money arising therefrom applied to the purchase of other lands for a glebe.

*Ordered*, That the said petitions be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.



*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled 'an act for regulating ordinaries, and restraint of tippling houses;" and that Messrs. Lyne, Carrington and Munford, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "for better regulating and disciplining the militia;" and that Messrs. Munford, Rose, Henry, Skinker and Lyne, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "concerning religion;" and that Messrs. Henry, Carrington, Braxton, General Nelson, Lyne, Lee, Z. Johnson, Talbot, Edmondson, John Washington, Hite, William Watkins, G. Anderson, Moore, John Taylor, Page, Mason, Rose, Pendleton, Munford, Randolph, Skinker and Tyler, do prepare and bring in the same.

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, October 16, 1779.

The House being informed that Mr. John Hopkins, one of the members for the county of Goochland, and Mr. John Evans, one of the members for the county of Monongalia, attended in custody of the serjeant at arms, and that there was good cause to excuse their absence when the House was called over on Thursday the 7th instant,

*Ordered*, That the said John Hopkins and John Evans be discharged out of custody, without paying fees.

The House being informed that Mr. William Harvey, one of the members for the county of Middlesex, Mr. William Harrison, one of the members for the county of Yohogania, and Mr. Charles Porter, one of the members for the county of Orange, attended in custody of the serjeant at arms,

*Ordered*, That the said William Harvey, William Harrison and Charles Porter, be discharged out of custody, paying fees.

The Speaker laid before the House a letter from James Mercer, Esq. one of the delegates for this State in Congress, containing his resignation of that appointment for the ensuing year; also, a letter from the commissioners for adjusting the boundary line with Pennsylvania, enclosing a report of their proceedings, which were read, and ordered to lie on the table.

Mr. Lyne reported, from the committee for Courts of Justice, that the committee had, according to order, inquired what laws have expired since the last session of Assembly, or will expire with the end of this session, or are near expiring, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled "an act to empower the Governor and Council to lay an embargo for a limited time," which was continued by one other act, entitled "an act for continuing an act, entitled 'an act to empower the Governor and Council to lay an embargo for a limited time,'" which will expire at the end of this present session of Assembly, ought to be farther continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1777, entitled "an act for giving certain powers to the Governor and Council," which was continued by an act, entitled "an act for giving certain powers to the Governor and Council," which was farther continued by an act, entitled "an act to extend the powers of the Governor and Council," which was farther continued by an act, entitled "an act, for continuing 'an act, for giving certain powers to the Governor and Council,'" which will expire at the end of this present session of Assembly, ought to be farther continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled "an act to empower the Governor and Council to superintend and regulate the public jail," which was continued by an act, entitled "an act for continuing an act, entitled 'an act to empower the Governor and Council to superintend and regulate the public jail,'" which will expire at the end of this present session of Assembly, ought to be farther continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled "an act to enable the Governor and Council to supply the armies and navies of the United States, and of their Allies, with grain and flour," which was continued by an act, entitled "an act for continuing an act, entitled 'an act to enable the Governor and Council to supply the armies and navies of the United States, and of their Allies, with grain and flour,'" which will expire at the end of this present session of Assembly, ought to be farther continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, entitled "an act, for farther suspending the payment of the salaries heretofore given to the clergy of the church of England;" which hath been by several acts suspended from session to session, until the end of this present session of Assembly, ought to be farther continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled "an act, to revive and amend an act, entitled 'an act, to make provision for the support and maintenance of idiots, lunatics, and persons of unsound minds,'" which will expire at the end of this present session of Assembly, ought to be farther continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled "an act, to amend an act, entitled 'an act, for the better regulating and collecting certain officers fees, and other purposes,'" which will expire at the end of this present session of Assembly, ought to be continued and amended.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled "an



act, to amend 'an act, for preventing forestalling, regrating, engrossing, and public vendues;' which expired on the first day of November last, ought to be revived.

The 1st, 2d, 3d, 4th, 6th, 7th and 8th, of the said resolutions, were read a second time, and agreed to by the House.

The 5th resolution was read a second time, amended, and ordered to lie on the table.

*Ordered*, That a bill or bills, be brought in pursuant to the 1st, 2d, 3d, 4th, 6th, 7th and 8th resolutions, and that the committee for Courts of Justice, do prepare and bring in the same.

*Ordered*, That a writ issue for the election of a delegate to serve in this present General Assembly, for the county of Elizabeth City, in the room of Thompson Mason, Esq., who hath accepted a coroner's commission.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of divers inhabitants of the county of Prince William, praying that the courthouse may be removed to a place at or near the centre of the said county, be deferred to the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Charlotte, praying that an act may pass for the forfeiture of all lands and other property belonging to those who desert from the continental army, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of Isaac Hite and Caleb Wallace, praying that the treasurer may be directed and empowered to receive the exchange certificates for the emissions of May 20, 1777, and April 11, 1778, which will become payable on the 1st day of March next, in payment for pre-emption and treasury warrants for waste or unappropriated lands, be rejected.

The 1st and 2d resolutions were read a second time, and agreed to by the House.

The 3d resolution was read a second time, and the question being put, that it be recommitted to the same committee,

It was resolved in the affirmative.

A memorial of Charles Simms, was presented to the House, and read; setting forth, that he hath a claim to 206 acres of land, on the Ohio river, and Racon creek, which proceeds by purchase from George Croghan, whose title was founded on a purchase from the Six Nations; that the said lands have been improved, but he apprehended [*Here the copy is defective.*]

and settlements, and have it not in their power to ascertain their claims within the time limited by law; and praying that his claim aforesaid may be established, and that a law may pass to secure the rights to officers and soldiers of lands on the Western Waters, allowing them a reasonable time to prove and ascertain their claims after they are disengaged from the service.

Also, a petition of Peter Eppes, on behalf of Elizabeth Ramsay, widow of Patrick Ramsay, deceased, and their children, Sophia, Elizabeth, Douglas, Andrew, and William; setting forth, that in the month of June, 1775, the said Patrick Ramsay, with his whole family left this State, as well for the education of his children, as to visit his friends in Britain; that the said Elizabeth Ramsay, and her children aforementioned, are all natives of this State, and that the said Elizabeth, at the time of her departure, was possessed in her own right of sundry lands and slaves; that the said Elizabeth Ramsay, and her children have been unable to return to this State since the death of the said Patrick; and the estate aforesaid becomes escheated to the Commonwealth by a late law; and praying relief on their behalf.

Also, a petition of sundry inhabitants of the county of Kentucky, whose names are thereunto subscribed; setting forth, the inconveniences they at present labor under from the situation of their town lands, and praying that the 640 acres of land allowed them by a late law may be laid off on the South side of the Kentucky river, and the trustees chosen by the inhabitants confirmed.

Also, a memorial of the justices of the Court of Admiralty; setting forth, the inconveniences of removing the said court to the town of Richmond agreeable to the act, "for the removal of the seat of government;" and praying that they may be permitted to continue their sessions at the place where they are now held, for a longer time.

Also, a petition of sundry inhabitants of the county of Amherst, whose names are thereunto subscribed; setting forth, that they have been unequally assessed, and as the time allowed the commissioners for the tax hearing appeals is elapsed, they remain remediless, and praying relief.

*Ordered*, That the said memorials and petitions, be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the parish of Drysdale, in the counties of King and Queen and Caroline, whose names are thereunto subscribed, was presented to the House, and read; taking notice of the petitions presented to this House for a division of the said parish, and praying that the same may not take place.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That the Governor be desired to lay before the House, a return of the land forces in the immediate pay of this State, distinguishing the several corps, and ascertaining the number of commissioned officers, staff offi-

cers and soldiers, in each; and also, a return of the marine preparation of this State, the strength of the several vessels, and the number of officers and men, employed in that service.

*Ordered*, That Mr. John Taylor do wait on the Governor with the said resolution.

*Ordered*, That the auditors lay before the House, the amount of the sums expended in supporting the land forces of the State, and of the disbursements on account of the navy for one year, without particularizing the several articles.

*Ordered*, That leave be given to bring in a bill, "for providing a great seal for the Commonwealth, and directing the lesser seal of the Commonwealth to be affixed to all grants for lands, and to commissions civil and military;" and that Mr. Mason do prepare and bring in the same.

And then the House adjourned till Monday morning, 10 o'clock.

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MONDAY, October 18, 1779.

The House being informed, that Mr. Josiah Parker, one of the members for the county of Isle of Wight, attended in custody of the serjeant at arms,

*Ordered*, That the said Josiah Parker be discharged out of custody, paying fees.

A petition of Samuel Walker and others, was presented to the House and read; setting forth, that being employed by the court of Botetourt, to carry circular letters, and assist in apprehending certain persons, suspected of counterfeiting the continental currency, they sustained great expense and trouble in that service, and praying to be compensated for the same.

Also, a petition of Samuel Porter; setting forth, that, being a private soldier in Capt. David Gass's company, under the command of Col. Bowman, in an attack upon the Shawanese towns, he received a dangerous wound in the thigh, which caused him to be removed to the falls of the Ohio, where he incurred the expense of 45*l.* for his board, and the fees of the surgeon employed to attend him, which he is unable to defray; and praying relief.

Also, a petition of John Hughes; setting forth, that he became blind through the effects of the smallpox, taken by inoculation on the 30th of April, 1778, from which time an arrearage of pay is due to him as a serjeant in Col. Charles Harrison's regiment of artillery; that the allowance of 28*l.* 15*s.*, made him by the Assembly, is inadequate to his support in his present deplorable situation, and praying farther relief.

*Ordered*, That the said petitions be referred to the committee of Public Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Gen. Nelson presented, according to order, a bill "concerning non-jurors;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That Messrs. Harvie and Thoroughgood, be added to the committee of Public Trade; Mr. Rowe to the committee of Courts of Justice; Messrs. Hunter, Mason, Zachariah Johnson, Porter and Rowe, to the committee of Propositions and Grievances; Mr. Richeson to the committee appointed to bring in a bill, "for better regulating and disciplining the militia;" Mr. Strother to the committee appointed to bring in a bill "concerning religion;" and Mr. Mason to the committee appointed to bring in a bill, "to amend an act, 'for regulating ordinaries and restraint of tippling houses.'"

*Ordered*, That Mr. Garrard have leave to be absent from the service of this House until Monday next.

Several petitions of sundry inhabitants of the counties of Loudoun, Stafford, and Prince William, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that the sufficiency of the proof, required by the act preparatory to the act for opening the land office, for establishing importation rights, is not founded either in law or justice; that they conceive it would be an amendment for the better, if instead of being proved according to ancient usage, the same were now made to depend upon legal proof; and praying that all future legal claims for importation rights may be secured under such restrictions and terms of cultivation, as is set forth in the charter or act of Assembly, under which those claims are set up.

Also, a petition of Thomas G. Tyler, administrator, &c. of Henry Tyler, gentleman, deceased; setting forth, that certain sums of tobacco are due from the county of Stafford, for public services, as well to the decedent as to the petitioner, which have never been levied; that upon a late application to the court of Stafford to levy the same, they were of opinion that they had no right to proportion any part of the same on the inhabitants added to the county by the division of the counties of King George and Stafford, and therefore rejected the claim; and praying relief.

Also, a petition of Sarah Jerdone; setting forth, that in the year 1775, she sent two of her sons to Great Britain for their education, agreeable to the desire of her deceased husband Francis Jerdone; that they are now there, and their estates by a late law become forfeited to the Commonwealth; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Mason presented, according to order, a bill "for providing a great seal for the Commonwealth, and directing the lesser seal of the Commonwealth to be fixed to all grants for lands, and to commissions civil and military;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill "for discouraging extensive credits, and prescribing the method of proving book debts;" and that Mr. Mason do prepare and bring in the same.



General Nelson reported, from the committee of Propositions and Grievances, to whom the resolution upon the petition of Isaac Hite and Caleb Wallace was recommitted, that the committee had, accordingly had the same under their farther consideration, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth :

*Resolved*, that it is the opinion of this committee, That the petition of the said Isaac Hite and Caleb Wallace, praying that the treasurer may be directed and empowered to receive from the inhabitants of this State, the certificates for the emissions of May 20, 1777, and April 11, 1778, payable on the 1st day of March next, as payment for pre-emption and treasury warrants for waste or unappropriated lands, is reasonable.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution, and that the committee of Propositions and Grievances, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "to establish cross Posts," and that Messrs. Randolph, Henry, Page, Munford, Tyler and Mason, do prepare and bring in the same.

*Resolved*, That this House will, on Wednesday next, resolve itself into a committee of the whole House, to take under their consideration, the state of the Commonwealth.

*Ordered*, That the letter and report from the commissioners for adjusting the boundary line with Pennsylvania, be referred to the said committee.

*Ordered*, That leave be given to bring in a bill "to suppress excessive gaming;" and that Messrs. Munford, Rose, Lyne, Parker, Porter and Henry, do prepare and bring in the same.

Mr. Mason presented, according to order, a bill "for discouraging extensive credits, and repealing the act, prescribing the method of proving book debts;" and the same was received and read the first time, and ordered to be read a second time.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, October 19, 1779.

The House being informed, that Mr. John Gratton, one of the members for the county of Rockingham; Mr. John Stratton, one of the members for the county of Northampton; and Mr. William Ball, one of the members for the county of Lancaster, attended in custody of the serjeant at arms,

*Ordered*, That the said John Gratton, John Stratton, and Wm. Ball, be discharged out of custody, paying fees.

The House being informed, that Mr. Bennet Tompkins, one of the members for the county of Northampton; Mr. William Norvell, one of the members for the county of James City; and Mr. John Whiting, one of the members for the county of Gloucester, attended in custody of the serjeant at arms, and that there was good cause to excuse their absence when the House was called over on Thursday, the 7th instant,

*Ordered*, That the said Bennet Tompkins, William Norvell, and John Whiting, be discharged out of custody, without paying fees.

A bill, "concerning non-jurors," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

*Ordered*, That leave be given to bring in a bill, "to amend the act, entitled 'an act, concerning escheats and forfeitures from British subjects,'" and that Messrs. Gen. Nelson, Baker, James Taylor, Munford, John Taylor, Mason and Henry, do prepare and bring in the same.

*Ordered*, That the committee of Propositions and Grievances be discharged from proceeding on such of the petitions referred to them, as respect the act, "concerning escheats and forfeitures from British subjects;" and that all such petitions be referred to the committee appointed to prepare and bring in a bill "to amend the act, entitled 'an act, concerning escheats and forfeitures from British subjects.'"

A bill, "for providing a great seal for the Commonwealth, and directing the lesser seal of the Commonwealth to be affixed to all grants for land, and to commissions civil and military," was read the second time, and ordered to be engrossed and read the third time.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of a judge of the General Court, in the room of Joseph Jones, Esq. who hath resigned; and of a member of the Board of War, in the room of Robert Lawson, Esq., who hath resigned.

*Ordered*, That Gen. Nelson do carry the resolution to the Senate, and desire their concurrence.

The House proceeded to nominate persons proper to be ballotted for as a judge of the General Court, and as a member of the Board of War.

*Ordered*, That Gen. Nelson do carry a list of the persons so nominated to the Senate.

Mr. Munford presented, according to order, a bill "for the better regulating and disciplining the militia;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That Messrs. Stratton and Tompkins, be added to the committee of Public Trade.

A petition of John Baylor, was presented to the House and read; setting forth, that by an inquisition lately taken in the county of Caroline, a considerable estate of the petitioner's is declared to be escheated to the Commonwealth, under the act "concerning escheats and forfeitures from British subjects," and he himself to be a British subject, with-



in the description of that act; that the circumstances of his leaving this State, in the year 1775, and the whole tenor of his conduct since, (having always considered himself a subject of this State) will be found upon inquiry to merit the thanks and not the censure of his country, and praying that the said act may be amended, so as to extend relief in his particular case.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill, "to amend the act, entitled 'an act, concerning escheats and forfeitures from British subjects.'"

*Ordered*, That the committee of Propositions and Grievances, to whom the bill "concerning non-jurors," is committed, be directed to receive a clause or clauses to silence non-juring preachers of all denominations, and to deprive of their benefices non-juring clergymen of the church of England.

A bill, "for discouraging extensive credits, and to repeal the act prescribing the method of proving book debts," was read the second time, and ordered to be committed to a committee of the whole House, on Friday next.

*Ordered*, That writs issue for the election of delegates to serve in this present General Assembly, for the county of Loudoun, in the room of Leven Powell, Esq., who hath accepted the appointment of deputy register of the land office; and for the county of Chesterfield, in the room of Jesse Cogbill, Esq., who hath accepted the office of an escheator.

A petition of sundry inhabitants of the county of Culpeper, whose names are thereunto subscribed, was presented to the House and read; setting forth, that the fine imposed by law, on persons who refuse to work on the highways is very insufficient, and occasions great difficulty in getting the roads cleared, and praying that the said fine may be increased.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Gen. Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions them referred, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to as followeth:

It appears to your committee, from the depositions of Thomas Flewing, Lawrence Sanford, and Thomas Crafts, that some time in the summer of the year 1776, the deponents were called upon to appraise and value upon oath sundry sails which were taken and seized by George Mason and John Dalton, Esquires, for the use of the Potomac navy, from a brig belonging to Dr. William Savage, then lying in the mouth of Quantico creek, in Potomac river; that all the said sails were in very bad condition, and so mildewed and rotten, that they were unfit for use, or carrying a vessel to sea, except one, a small sail commonly called a fore-stay-sail; that after due examination they valued the said sails to about 24*l.*, that the said brig lay some time in the harbor of Alexandria, was a wreck which the said Savage purchased at Norfolk, and was unfit to go to sea at the time the said sails were seized.

*Resolved*, that it is the opinion of this committee, That so much of the petition of the said William Savage, as prays to be paid for the said sails is reasonable; and that he ought to be allowed and paid the sum of 24*l.*, with interest thereon, from the 1st day of June, 1776, till payment.

*Resolved*, that it is the opinion of this committee, That such other parts of the said petition, as prays to be allowed and paid for the said vessel, be rejected.

*Resolved*, that it is the opinion of this committee, That so much of the petition of the inhabitants of the township called Boonsborough, in the county of Kentucky, as prays that a town may be established at the said place, is reasonable.

*Resolved*, that it is the opinion of this committee, That such other parts of the said petition, as prays that every person who resides in the said township may be allowed to draw a lot therein, be rejected.

*Resolved*, that it is the opinion of this committee, That such other parts of the said petition, as prays that 640 acres of land, the quantity allowed by law to every such township as a common, may be laid off adjoining the same, is reasonable.

*Resolved*, that it is the opinion of this committee, That every person possessed of a lot in the said township, as already laid off, ought to have the same confirmed to them.

*Resolved*, that it is the opinion of this committee, That the memorial of Lieut. Col. Charles Simms, praying that his title to 2,961 acres of land, lying on the Ohio river, which he purchased of Alexander Ross and William Dmbar, may be confirmed, having been prevented from improving the said lands, as by law is required, by being in the continental army ever since the year 1776, and that he might obtain grants for the said lands upon paying the usual composition money under the former government, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of the commissioners, assessors, and sheriff, of the county of Brunswick, praying that the time allowed by law for the assessors to make their assessment, and the sheriff to collect the taxes, may be extended, be rejected.

*Ordered*, That Gen. Nelson do carry the first resolution to the Senate, and desire their concurrence.

*Ordered*, That a bill or bills, be brought in pursuant to the 3d, 4th, 5th, 6th and 7th resolutions; and that the committee of Propositions and Grievances do prepare and bring in the same.

Mr. Lyne presented, according to order, a bill, "to amend the act, entitled 'an act, for regulating ordinaries and restraint of tippling houses,'" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill, "to amend the act, entitled 'an act, for the annual appointment of delegates to Congress'" and that Messrs. Henry, Gen. Nelson, Mason, Page, and John Taylor, do prepare and bring in the same.

Whereas, there is cause to believe that the sheriffs of some of the counties of this Commonwealth, have been guilty of great breach of trust, in misapplying the money received for the taxes of their county, by lending or advancing it to private individuals to lay out in the land office, thereby enabling them to purchase lands from the public with its own money, defeating the purposes of taxation, and endangering the public credit :

*Resolved*, That a committee of seven members be appointed to inquire into the same, with power to send for persons or papers, and that they report their proceedings thereupon, to this House.

And a committee was accordingly appointed, of Messrs. Mason, General Nelson, John Taylor, Henry, Baker, Munford and Page.

*Resolved*, That the Governor be desired immediately to direct the several naval officers within this Commonwealth, to grant no clearance to any vessel having salt on board; and also, to issue orders to the commanders of the several armed vessels belonging to this State, to permit no vessel to depart thereout having salt on board, or having no legal clearance from a naval officer.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution for proceeding by joint ballot with this House to-morrow, to the choice of a judge of the General Court, and of a member of the Board of War. And then he withdrew.

*Ordered*, That leave be given to bring in a bill, "for regulating the importation of salt, and laying an embargo thereon for a limited time;" and that Messrs. Page, Mason and Baker, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "to increase the number of seamen in this Commonwealth, and to promote and extend the commerce thereof;" and that Messrs. Baker, General Nelson, Hutchings, Harvey, James Taylor, Garland Anderson, Parker, Strother, Pickett and Henry, do prepare and bring in the same.

A petition of George Boyd, was presented to the House, and read; setting forth, that being collector of the taxes for the county of Halifax in the year 1778, he did, upon the application of Walter Coles, Esq., advance a considerable sum of the public money, then in his hands, to expedite the enlistment of soldiers in that county for the continental service, and to procure them shoes, stockings, and other necessities, having been previously informed by letter from Patrick Henry, Esq., then Governor, that there was not money in the treasury sufficient for those purposes; that the auditors of public accounts have obtained a judgment against him in the General Court upon his collection bond, with costs and damages, and praying to be relieved from the payment of the said costs and damages.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

A message from the Senate by Mr. Griffin :

MR. SPEAKER,—The Senate have added several persons to the nomination for a judge of the General Court. And then he withdrew.

A message from the Senate by Mr. Avery :

MR. SPEAKER,—The Senate have agreed to the resolution of this House for empowering the Governor, with the advice of Council, to restrict the exportation of salt. And then he withdrew.

A petition of sundry inhabitants of the county of Culpeper, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the evil example of gaming is become very alarming; that it is highly prejudicial to our youth, and tends to distress and ruin a number of innocent families, and praying that a law may pass declaring that all persons under fifty years of age who shall play or bet at any kind of game, shall be deemed soldiers for two years, and all persons above that age, who are guilty thereof, be obliged to pay double taxes.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill, "to suppress excessive gaming."

And then the House adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY, October 20, 1779.

*Ordered*, That the treasurer lay his accounts before the House.

General Nelson presented, according to order, a bill, "to empower the treasurer to receive certain certificates;" and the same was received, and read the first time, and ordered to be read a second time.

General Nelson presented, according to order, a bill, "for granting warrants to Charles Simms, gentleman, to survey certain lands;" and the same was received, and read the first time, and ordered to be read a second time.

An engrossed bill, "for providing a great seal for the Commonwealth, and directing the lesser seal of the Commonwealth to be affixed to all grants for land, and to commissions civil and military;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for providing a great seal for the Commonwealth,



and directing the lesser seal of the Commonwealth to be affixed to all grants for land, and to commissions civil and military."

*Ordered*, That Mr. Mason do carry to bill to the Senate, and desire their concurrence.

*Ordered*, That William Bernard, Esq., be withdrawn from the nomination for a judge of the General Court, at his desire.

*Ordered*, That Mr. Mason do acquaint the Senate therewith.

*Ordered*, That the treasurer procure, at the public expense, one dozen chairs for the use of the committee rooms of this House.

A bill, "to amend an act, entitled 'an act, for regulating ordinaries and restraint of tippling houses,'" was read the second time, and ordered to be committed to Messrs. Lyne, Carrington, Munford and Mason.

A bill, "for the better regulation and discipline of the militia;" was read the second time, and ordered to be committed to a committee of the whole House on Monday next.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration two petitions and a memorial, to them referred, and have come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Samuel Porter, a soldier in Capt. David Gass's company, under the command of Col. Bowman, who in an attack on the Shawanese towns, received a wound in the thigh, in effecting the cure of which, he necessarily expended for board and fees to the surgeon, the sum of 45*l*. is reasonable; and that the petitioner ought to be reimbursed the said sum of 45*l*.

*Resolved*, that it is the opinion of this committee, That the petition of Samuel Walker, Martin M'Farren, Hugh Logan, Samuel M'Roberts, Alexander M'Roberts, William Ritchie, William Miller, William George, Jonathan Newman, and Joseph Kyle, who were employed by the court of Botetourt to carry circular letters to the justices of Bedford and Henry counties, and assist in apprehending certain persons suspected of counterfeiting the continental currency, and in performing that service, sustained great expense and trouble, is reasonable; and that the petitioners ought to be allowed the respective sums following, to wit: Samuel Walker, Martin M'Farren, Hugh Logan, Samuel M'Roberts, Alexander M'Roberts, William Ritchie and William Miller, the sum of 18*l*. 4*s*. each; William George and Jonathan Newman, the sum of 10*l*. each, and Joseph Kyle, the sum of 28*l*.

*Resolved*, that it is the opinion of this committee, That the memorial of Isaac Hite, who while in the militia service under Captain John Todd, at Boonsborough, was wounded in his right shoulder in an engagement with the Indians, spent upwards of 400*l*. in effecting his cure, and is now unable to get a livelihood by labor, is reasonable; and that the memorialist ought to be reimbursed the said sum of 400*l*.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill "for establishing Courts of Assize;" and that Messrs. John Taylor, Mason, Tazewell, Munford, Tyler, Roan, Baker, Strother, Henry, Skinker, Page and Lomax do prepare and bring in the same.

A petition of sundry inhabitants of the county of Henrico, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that horse stealing having become very prevalent from an idea that no crime ought to be punished with death but murder, property of that species is entirely insecure; and praying that a more rigorous law may pass to punish that crime, and the reward for apprehending horse stealers increased.

Also, a petition of William Black; setting forth, that the public would be greatly benefitted by the establishment of a ferry from his land in the county of Chesterfield, to the land of Charles Lewis, below the mouth of Gillie's creek, in the county of Henrico; and praying that one may be accordingly established.

Also, a petition of Thomas Mann Randolph; setting forth, that there has been a ferry established for some time from his land in the county of Henrico, called Varina, to the land of Richard Batte, in the county of Chesterfield; that the said ferry has not been frequented since the alteration of the roads, and praying that it may be discontinued.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Burr Harrison have leave to be absent from the service of this House, until this day three weeks.

*Ordered*, That Messrs. Baker and Ball be added to the committee appointed to bring in a bill, "concerning religion."

Gen. Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of David Galloway and Burdit Ashton, praying that an act may pass, for selling certain lands to which they are each entitled to one fourth part in right of their wives, who are coparceners with Elizabeth and Anne Blair, infants under age of twenty-one, and daughters of James Blair, deceased, and the money arising from such sale, to be equally divided amongst them, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the counties of Albe-



marle, Amherst, and Buckingham, praying that the act of Assembly, entitled "an act, for laying a tax payable in certain enumerated commodities," may be repealed, be rejected.

*Ordered*, That leave be given to bring in a bill, "for the amendment of the law in cases of tender and refusal of money, and of secret assignment of bonds and other writings;" and that Messrs. Page, Baker and Rowe, do prepare and bring in the same.

A petition of sundry inhabitants of the county of Orange, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that great disproportion of taxes have arisen from the present mode of assessment; lands of inferior quality, being valued at 24*l*. per acre, while those of superior quality, were valued only to 6*l*. per acre; and praying that a law may pass, to remedy this inequality, and also to provide that those shall be reimbursed, who have paid more than what shall appear to have been their proportion of the tax for the present year, agreeable to the tax of lands in the State in general.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

A petition of sundry inhabitants of the county of Augusta, was presented to the House, and read; setting forth, that they have seen the plan proposed by the House of Delegates, for establishing the privileges of the several denominations of religious societies at the last session of Assembly; and praying that the General Assembly will be pleased to pass the said bill without the least alteration.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill, "concerning religion."

*Ordered*, That leave be given to bring in a bill, "to amend the act, entitled 'an act, establishing the Board of War,'" and that Messrs. Gen. Nelson, Richeson, Hunter, Garland Anderson, Parker, Page, Brent and Mason, do prepare and bring in the same.

A petition of sundry inhabitants of the county of Lancaster, whose names are thereunto subscribed, was presented to the House and read; setting forth, that they are sensibly aggrieved by some late acts of the legislature; and suggesting such alterations therein, as they conceive will tend to remove the inconveniencies complained of; and praying that the same may be adopted, or such other measures pursued as the wisdom of the House may think proper.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

The House proceeded, according to the order of the day, by joint ballot with the Senate, to the appointment of a judge of the General Court, in the room of Joseph Jones, Esq. who hath resigned; and the members having prepared tickets for the person to be appointed, and put the same into the ballot glasses, Messrs. Baker, Lee, Wilkinson and Mason were nominated a committee to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and report to the House on whom the majority of votes should fall.

*Ordered*, That Mr. Baker do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House, and reported, that they had met a committee from the Senate, and had jointly with them examined the ballot glasses, and found a majority of votes in favor of neither of the persons balloted for.

The House then proceeded to ballot between Peter Lyons and James Henry, Esquires, who stood foremost on the ballot; and it appears from the report of the same committee that the majority was in favor of Peter Lyons, Esq.

The House proceeded in the same manner to the appointment of a member of the Board of War, in the room of Robert Lawson, Esq., who hath resigned; and it appears from the report of Messrs. Baker, Gen. Nelson, Randolph and Page, that the majority was in favor of George Lyne, Esq.

*Resolved*, That Peter Lyons, Esq. be appointed a judge of the General Court, in the room of Joseph Jones, Esq. who hath resigned; and George Lyne, Esq., a member of the Board of War, in the room of Robert Lawson, Esq. who hath resigned; they having been so elected by joint ballot of both Houses of Assembly.

*Ordered*, That Mr. Baker do carry the resolution to the Senate, and desire their concurrence. *Adj. 19.*

*Ordered*, That leave be given to bring in a bill, "for the dissolution of vestries, and to regulate the election of vestrymen;" and that Mr. Baker do prepare and bring in the same.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

THURSDAY, October 21, 1779.

*Ordered*, That Mr. Callaway have leave to be absent from the service of this House for the remainder of the session.

Mr. Henry presented, according to order, a bill "for giving farther time to officers and soldiers to ascertain their claims to lands;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Henry presented, according to order, a bill "for establishing a town in the county of Kentucky;" and the same was received and read the first time, and ordered to be read a second time.

The House being informed that Mr. John Hull, one of the members for the county of Northumberland, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Thursday the 7th instant,

*Ordered*, That the said John Hull be discharged out of custody, without paying fees.

The Treasurer, according to order, laid his accounts before the House.

*Ordered*, That the accounts lie on the table, to be perused by the members of this House.

A bill "to empower the Treasurer to receive certain certificates," was read the second time, and ordered to be committed to a committee of the whole House to-morrow.

A bill "for granting warrants to Charles Simms, gentleman, to survey certain lands," was read the second time, and ordered to be committed to a committee of the whole House to-morrow.

A petition of Eleanor Hutson was presented to the House, and read; setting forth, that her husband, John Hutson, was ordered on an express by Col. Shelby, in the month of February last, to the Indian towns, in which service he was unfortunately drowned, leaving the petitioner and five small children in very great distress, and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Brunswick, whose names are thereunto subscribed, was presented to the House, and read; setting forth that they labor under great inconveniences for the want of salt, iron and cards, and praying that steps may be taken by the Legislature to supply them with those articles.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

Sundry accounts which had been presented to the Auditors of public accounts for payment, and by them referred to the Governor and Council for their consideration, were presented to the House, and ordered to be referred to the committee of Trade.

Mr. Page presented, according to order, a bill "for the amendment of the law in cases of tender and refusal of money, and of secret assignments of bonds or other writings;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That Messrs. William Watkins, Talbot, Hull, Hite, Norvell and Hopkins, be added to the committee of Trade.

*Ordered*, That leave be given to bring in a bill, "for constituting justices of the peace and county courts," and that Messrs. Pendleton, Garland Anderson, John Taylor and Skinker, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "concerning public roads, mill dams and bridges;" and that Messrs. Ball, Munford, Pendleton, Lee, and William Watkins, do prepare and bring in the same.

*Ordered*, That Messrs. Hutchins, and James Taylor be added to the committee appointed to bring in a bill "for regulating the importation of salt, and laying an embargo thereon for a limited time."

The Auditors of public accounts, according to order, laid before the House an estimate of the sums expended in supporting the land forces of the State, and of the disbursements on account of the navy, which was read, and ordered to be referred to a committee of the whole House on the state of the Commonwealth.

Mr. Henry reported, from the committee to whom the bill "concerning non-jurors" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again once read throughout.

A motion was made, and the question being put, that the said bill with the amendments, be recommitted,

It was resolved in the affirmative.

*Ordered*, That the bill, with the amendments, be recommitted to a committee of the whole House on Monday next.

Mr. Henry reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration two petitions and a memorial, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Culpeper, praying that an act may pass to increase the fines on persons refusing to work on the public roads, is reasonable.

*Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of William Black,

praying that a ferry may be established from his land over James river, to the land of Charles Lewis, on the opposite shore, in the county of Henrico, be deferred to the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the memorial of the judges of the Court of Admiralty, praying that they may be permitted to continue their sessions at the place where the same are now held, for a longer time, is reasonable.

*Ordered*, That the committee appointed to bring in a bill "concerning highways, mill-dams and bridges," be directed to receive a clause or clauses pursuant to the first resolution.

*Ordered*, That the committee of Propositions and Grievances do prepare and bring in a bill or bills, pursuant to the third resolution.

The Speaker laid before the House a letter from the Governor, enclosing several others addressed to the executive, and sundry resolutions of Congress, with other papers, and stating several matters for the consideration of the House.

And the said letters, papers and resolutions, being read, were ordered to be referred to the committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to William Savage, and to the resolution for appointing Peter Lyons, Esq. a judge of the General Court, and George Lyne, Esq. a member of the Board of War. They have also agreed to the bill, "for providing a great seal for the Commonwealth, and directing the lesser seal of the Commonwealth to be affixed to all grants for land, and to commissions civil and military." And then he withdrew.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the petition of John Hughes, to them referred, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the said John Hughes, a serjeant in Col. Harrison's regiment of artillery, who, through the effects of the smallpox, taken by inoculation whilst in the service of the United States, became blind, and still continues so, is reasonable; and that the petitioner ought to be allowed the sum of 70*l.* for his present relief.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

A petition of John Mayo was presented to the House, and read; setting forth, that it would be of general public utility, if another ferry was established at the falls of James river, from his land, on the Manchester side, to the sandy bar on the opposite shore; and praying that such a ferry may be established.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Culpeper, whose names are thereunto subscribed, was presented to the House, and read; setting forth, the evils which they suppose will arise if the bill for establishing religious freedom, which hath been dispersed among the people, should be passed by the General Assembly, and suggesting such a mode of religious establishment as they suppose will be beneficial to the people, and praying that the aforesaid bill may be unanimously rejected by this House.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill "concerning religion."

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

FRIDAY, October 22, 1779.

The House being informed that Mr. John Cunningham, one of the members for the county of Augusta, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Thursday the 7th instant,

*Ordered*, That the said John Cunningham be discharged out of custody without paying fees.

A bill, "for establishing a town in the county of Kentucky," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "for giving farther time to officers and soldiers to ascertain their claims to lands," was read the second time, and ordered to be committed to a committee of the whole House on Tuesday next.

A bill, "for the amendment of the law in cases of tender and refusal of money, and of secret assignments of bonds or other writings," was read the second time, and ordered to be committed to a committee of the whole House on Wednesday next.



*Ordered*, That the committee, of Trade be discharged from proceeding on sundry accounts referred to them yesterday, which had been presented to the Board of Auditors for payment, and were by them referred to the Governor and Council, and by the Governor and Council referred to this House.

*Ordered*, That Mr. Roane be added to the committee appointed to bring in a bill "concerning high-ways, mill-dams and bridges."

A petition of sundry inhabitants of the county of Essex, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that from the great confusion and disorder which hath arisen on account of religion since the old establishment hath been interrupted, they are convinced of the necessity of the legislative body's taking this subject into their most serious consideration; that they are much alarmed at the appearance of a bill, entitled "Religious freedom;" and praying that the said bill may not take effect, but an establishment adopted under certain regulations.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill "concerning Religion."

A petition of John Clarke was presented to the House, and read; setting forth, that he has lost two sons in the service of his country, for one of whom, in his last sickness, he incurred considerable expense, which he is not able to defray; and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Archibald Ritchie was presented to the House, and read; setting forth, that he had claim to sundry importation rights, which he supposed would never become obsolete so long as he could make due proof of the importation; that he has from various causes been prevented from taking the necessary legal steps to confirm such rights, and now finds himself precluded by a late law; and praying relief.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

General Nelson presented, according to order, a bill "for continuing the Court of Admiralty in the city of Williamsburg;" and the same was received and read the first time, and ordered to be read a second time.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the counties of Amherst and Buckingham, praying that so much of the act of Assembly, entitled "an act, to amend an act, entitled 'an act, for reviving several public warehouses for the reception of tobacco,'" as compels the owner of any tobacco to pay twelve shillings per hogshead for every month the same shall remain in the warehouse exceeding twelve, may be repealed, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of Thomas Tyler, administrator of Henry Tyler, deceased, late clerk of Stafford court, praying to be allowed and paid by the public four thousand five hundred and forty-six pounds of tobacco for services performed by the said Henry Tyler, as clerk of the said court of Stafford, and refused to be levied by them, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Henrico, praying that the reward for apprehending horse stealers may be increased, be rejected.

*Ordered*, That the committee of Propositions and Grievances do prepare and bring in a bill pursuant to the first resolution.

The Speaker laid before the House a letter from Bolling Starke, Esq. a member of the Privy Council or Council of State, containing his resignation of that appointment, which was read, and ordered to lie on the table.

*Ordered*, That a writ issue for the election of a delegate to serve in this present General Assembly for the county of Lancaster, in the room of Richard Mitchell, Esq., who hath accepted the office of coroner.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for granting warrants to Charles Simms, agent, to survey certain lands;" and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made no amendment thereto;

*Ordered*, That the bill be engrossed and read the third time.

*Ordered*, That leave be given to bring in a bill "to amend the act establishing a Board of Trade;" and that Messrs. Parker, Hutchings, Pickett, James Taylor, Harvey and Reynolds, do prepare and bring in the same.

A petition of sundry inhabitants of the parish of Drysdale, in the counties of King and Queen and Caroline, was presented to the House and read; taking notice of the petitions presented to this House for a division of the said parish; and praying that the same may not take place.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Mungo Harvey and John Dean, was presented to the House, and read; setting forth, that they are desirous of exonerating themselves of a debt due to Messrs. Alexander and Daniel Campbell, merchants in Glasgow, at the commencement of the present war, by accounting to the treasury of this State for the same, but having made

other provision for paying the said debt in England, they are desirous in the event of the latter payment's taking place, of being refunded any payment they may now make to the treasurer; and praying that provision may be made for that purpose.

*Ordered*, That the said petition be referred to Messrs. Ball, Hull, Carter, Page and Munford; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to order, again resolved itself into a committee of the whole House, on the state of the Commonwealth, and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had under their consideration the state of the Commonwealth, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, That William Campbell, Walter Crockett, and others, concerned in suppressing a late conspiracy and insurrection on the frontiers of this State, ought to be indemnified for any proceedings therein not warranted by law.

*Resolved*, That Charles Neilson be discharged from the confinement to which he was ordered by a resolution of the Convention in May, 1776; that his estate be restored to him, and that the bond which he then gave be cancelled.

*Ordered*, That a bill, or bills, be brought in pursuant to the first resolution; and that Messrs. General Nelson, Page and Baker, do prepare and bring in the same.

*Ordered*, That General Nelson do carry the second resolution to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

A petition of Roger Thompson was presented to the House, and read; setting forth, that in October, 1776, he had a horse taken and put in a wagon in the country's service; that on the way from the Big Island on Holston river, the said horse was killed by the wagoner, for which he has received no satisfaction; and praying to be paid for the same.

A motion was made, and the question being put that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

The Speaker laid before the House a letter from the Governor, enclosing one from the President of Congress, with a resolution of that body, and stating several matters for the consideration of the House.

*Ordered*, That the said letter, with the enclosures, be referred to the committee of the whole House on the state of the Commonwealth.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill "to discourage extensive credits, and to repeal the act prescribing the method of proving book debts;" and on the bill "to empower the treasurer to receive certain certificates;" being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, October 23, 1779.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petition of divers inhabitants of the county of Culpeper, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the said county of Culpeper, praying that the same may be divided into three distinct counties, be rejected.

An engrossed bill, "for granting warrants to Charles Simms, gentleman, to survey certain lands," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for granting warrants to Charles Simms, gentleman, to survey certain lands."

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.

A petition of Frances Seayres, widow of the late Lieutenant Colonel Seayres, who was slain in the battle of Germantown, was presented to the House and read; setting forth, that she is left in very distressed circumstances with three children; that the sum of two hundred pounds, presented her by a former Assembly, although it contributes to the support of herself and children, is totally insufficient to educate the children, and praying that they may be educated at the public expense.

Also, a petition of Mary Camp; setting forth, that a public magazine was erected in the year 1776, on the land she now lives on, which, by depriving her of the best part of her land, and the great consumption of wood necessary therefor, is very injurious to the petitioner; and praying to be compensated for the same.

Also, a petition of the inspectors of tobacco at Falmouth and Dixon's; setting forth, that the allowance of two dollars per hogshead for inspection of tobacco is an inadequate compensation for the risk, time, and trouble of the in-

spectors; that there is no provision in the law respecting the property of tobaccos broke up, unmarked, or defaced; and praying that the tobacco law may be amended.

Also, a petition of sundry inhabitants of Stafford and Spottsylvania counties, whose names are thereunto subscribed; setting forth, that the present ferry at the town of Falmouth is very inconvenient to travellers and others; and praying that a road and ferry may be established from the lower end of the town of Falmouth, along the banks of the river to the Oyster Shell Landing, on the land of Mr. Dixon, over to the opposite shore on the land of Colonel Fielding Lewis, and from thence to the town of Fredericksburg.

Also, a petition of Thomas Walker, jun.; setting forth, that William Beck, a mulatto slave belonging to him, has during his servitude behaved in a most exemplary manner, while with him and under Colonel Charles Lewis, in several campaigns to the Northward; that he has paid the petitioner the purchase money he gave for him, for which he expects his freedom; and praying that the said slave may be manumitted.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill, "for continuing the Court of Admiralty in the city of Williamsburg," was read the second time, and ordered to be engrossed and read the third time.

A petition of Craven Peyton was presented to the House, and read; setting forth, that by an inquest lately had on the estate of George William Fairfax, Esq. the same is found to be within the description of "an act concerning escheats and forfeitures from British subjects;" that, as the said George William Fairfax, Esq. was an inhabitant of this State many years, and left the same on private family reasons in the year 1773, intending to return, he thinks the said estate does not come within the meaning of that law; and praying that an act may pass to prevent the sale thereof.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill "to amend the act concerning escheats and forfeitures from British subjects."

*Ordered*, That leave be given to bring in a bill "for marking and opening a road over the Cumberland Mountains into the county of Kentucky," and that Messrs. Mason, Talbot, M'Kee, Z. Johnson, Cunningham, and Hutchinson, do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for discouraging extensive credits, and repealing the act prescribing the method of proving book debts;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Munford reported, that the committee had, according to order, had the same under their consideration, and made several amendments thereto, which he read in his place and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments be engrossed and read a third time.

*Ordered*, That Mr. Gilmer have leave to be absent from the service of this House until this day three weeks, and Mr. William Watkins for the remainder of the session.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and also on the bill, "to empower the treasurer to receive certain certificates," being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

## MONDAY, October 25, 1779.

An engrossed bill, "for continuing the Court of Admiralty in the city of Williamsburg," was read the third time. *Resolved*, That the bill do pass, and that the title be, "an act, for continuing the Court of Admiralty in the city of Williamsburg."

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for discouraging extensive credits, and repealing the act 'prescribing the method of proving book debts,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act for discouraging expensive credits, and repealing the act, 'prescribing the method of proving book debts.'"

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

The House being informed that Mr. Thomas Newton, one of the members for the county of Norfolk, attended in custody of the serjeant at arms,

*Ordered*, That the said Thomas Newton, be discharged out of custody, paying fees.

The House being informed that Mr. William Peachey, one of the members for the county of Richmond, and Mr. John Wilson, one of the members for the county of Pittsylvania, attended in custody of the serjeant at arms, and that there was good cause to excuse their absence when the House was called over on Thursday the 7th instant,

*Ordered*, That the said William Peachey and John Wilson be discharged out of custody, without paying fees.

The Speaker laid before the House a letter from the delegates of this Commonwealth in Congress, enclosing one from the legislature of the State of New Jersey, on the subject of appreciating the continental currency; and the said letters were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.



A petition of sundry inhabitants of the county of Fairfax was presented to the House, and read; setting forth, that several late laws are unequal and oppressive; that they are apprehensive the situation of the marine is insufficient to the purposes of naval defence; that they conceive the state of the public debt should be speedily adjusted, and measures taken to furnish this State's quota of troops agreeable to the requisition of Congress, to prevent farther emissions of money, and to promulgate the laws of the Assembly amongst the people; and praying the attention of the Legislature in the premises.

Also, a petition of sundry inhabitants of the town of Alexandria, whose names are thereunto subscribed; setting forth, that the naval office at the mouth of Potomac river is very inconvenient to merchants and traders; and praying that another office may be established for the said river.

Also, a petition of sundry inhabitants of the town of Manchester, whose names are thereunto subscribed, praying, that an act may pass to prevent hogs and goats running at large in the said town.

Also, a petition of Richard Callaway; setting forth, that the inhabitants of Boonsborough, as well as travellers and others, experience great inconvenience for want of a public ferry across the Kentucky river, and praying that an act may pass to establish such a ferry.

Also, a petition of sundry inhabitants of the county of Amelia, whose names are thereunto subscribed; setting forth, that they have been unequally assessed, and cannot obtain redress in the mode of appeal prescribed by law; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Essex, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that Archibald M'Call left this State in the year 1775, designing to return in a few months, his children having been previously sent to Great Britain, for their education; that the said Archibald M'Call in his conversation and character, has been always friendly to the interest of this country, his said children being natives thereof, and praying that the said Archibald M'Call may be permitted to return, and become a citizen of this State, and his estate be secured from the operation of the act, "concerning escheats and forfeitures from British subjects."

*Ordered*, That so much of the said petition, as relates to the return of the said Archibald M'Call into this State, be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House; and that the rest of the said petition be referred to the committee appointed to prepare and bring in a bill, "to amend the act, 'concerning escheats and forfeitures from British subjects.'"

A petition of John Pendleton, was presented to the House, and read; setting forth, that he was appointed by the county court of Hanover, to procure provisions for the wife and six children of a soldier in the continental army; that his account of expenditures therein, has been refused by the auditors; and praying to be indemnified for the same.

Also, a petition of William Graham and John How; setting forth, that the schooner General Washington, belonging to the petitioners, was impressed by Major Matthews, during the late invasion, to convey military stores to a place of security; that she was sunk to prevent her falling into the hands of the enemy, whereby the cargo she had on board was totally lost, and the said schooner received considerable damage; and praying such compensation as may appear reasonable.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Loudoun, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the act, "concerning escheats and forfeitures from British subjects," is indiscriminate in its operation, as to the friends or enemies of this country; that they conceive it would be most consistent with good policy, that the operation of the said law, should, until a peace is established, stop at forfeiture and escheat of British property to the sole use of the Commonwealth, and praying that the said law may be so amended.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill, "to amend the act, 'concerning escheats and forfeitures from British subjects.'"

A petition of sundry inhabitants of the county of Fluvanna, whose names are thereunto subscribed, was presented to the House, and read, taking notice of the petitions presented to this House, for the sale of St. Anne's glebe, in the said parish, and praying that such sale may not take place.

Also, a petition of sundry inhabitants of Fairfax parish, in the county of Fairfax, whose names are thereunto subscribed, setting forth, that but three of the present vestry of that parish are the choice of the people; and praying that the said vestry may be dissolved.

Also, a petition of the Baptist Association; setting forth, that doubts have arisen whether marriages solemnized by dissenting ministers are lawful, and praying that an act may pass to declare such marriages lawful.

*Ordered*, That the said petitions be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Henry reported, from the committee of Propositions and Grievances, to whom the bill "for establishing a town in the county of Kentucky," was committed, that the committee had, according to order, had the said bill under

their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Henry presented, according to order, a bill, "concerning religion;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Page presented, according to order, a bill "for regulating the importation of salt, and laying an embargo thereon;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Ball presented, according to order, a bill, "concerning public roads, mill-dams, and bridges;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill, "to amend the act, 'to increase the salaries of the clerks to the auditors of public accounts,'" and that Mr. Ball do prepare and bring in the same.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and also upon the bills, "for the better regulation and discipline of the militia," "concerning non-jurors," and "to empower the treasurer to receive certain certificates," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, October 26, 1779.

The House being informed, that Mr. Thomas Johnson, one of the members for the county of Louisa; and Mr. Isaac Zane, one of the members for the county of Frederick, attended in custody of the serjeant at arms,

*Ordered*, That the said Thomas Johnson, and Isaac Zane, be discharged out of custody, paying fees.

An engrossed bill, "for establishing a town in the county of Kentucky," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, for establishing the town of Boonsborough, in the county of Kentucky."

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

Mr. Randolph presented, according to order, a bill "for establishing cross Posts;" and the same was received and read the first time.

A motion was made, and the question being put, that the said bill be read a second time,

It passed in the negative.

*Resolved*, That the bill be rejected.

*Ordered*, That Mr. Duval have leave to be absent from the service of this House, for the remainder of the session, and Mr. Henry until Monday next.

The Speaker laid before the House, a letter from Edmund Randolph, Esq., one of the delegates of this Commonwealth in Congress, containing his resignation of that appointment; also, a letter from William Fitzhugh, Esq., another of the said delegates, to the same effect; and one other from Meriwether Smith, Esq., another of the said delegates, containing the reasons of his present absence from Congress; and the said letters were read, and ordered to lie on the table.

A bill, "concerning public roads, mill-dams and bridges;" was read the second time.

A motion was made, and the question being put, that the said bill be committed,

It passed in the negative.

A motion was made, and the question being put, that the said bill be read a third time,

It passed in the negative.

*Resolved*, That the bill be rejected.

A bill, "for regulating the importation of salt, and laying an embargo thereon;" was read the second time, and ordered to be committed to a committee of the whole House to-morrow.

A bill, "concerning religion;" was read the second time.

A motion was made, and the question being put, that the said bill be read a third time on the first day of March next,

It passed in the negative.

A motion was made, and the question being put, that the said bill be committed,

It was resolved in the affirmative.

*Ordered*, That the bill be committed to a committee of the whole House, on Tuesday next.

A petition of Dr. John de Sequera, was presented to the House, and read; setting forth, that he hath attended the hospital of lunatics, idiots, and persons of unsound mind, without any compensation for one year; and praying such allowance as may appear reasonable.

*Ordered*, That the said petition, be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the Rev. John Hurt, was presented to the House, and read; setting forth, that he hath served as chaplain to a brigade in the continental army, for upwards of three years; that there is no land allowed by law to chaplains; and praying that they may be allowed the like quantity of lands given to commissioned officers receiving the same pay and rations, upon serving the time required by law.

Also, a petition of Lewis Dunn; setting forth, that a mulatto girl, slave, named Pegg, was declared free by the will of his father Thomas Dunn, deceased; and praying that an act may pass, to emancipate the said slave.

Also, a memorial of the President and Professors of William and Mary College; setting forth, that the rapid advance of all necessary provisions for the support of youth, has driven many of the most promising abilities from that seminary; that they have exhausted their stock by keeping the board for a long time at a low rate; and praying such assistance as to the wisdom of the House, may appear reasonable.

*Ordered*, That the said petitions and memorial, be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate have agreed to the bill, “for granting warrants to Charles Simms, gentleman, to survey certain lands.” And then he withdrew.

*Ordered*, That leave be given to bring in a bill, “for appointing commissioners to ascertain the value of lands throughout this State;” and that Messrs. Braxton, Ball, Mason, Baker, Henry, Strother, Garland Anderson, John Taylor, Page and Munford, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, “to explain and amend two several acts of the last session of General Assembly, for fixing the allowance of the members thereof;” and that Mr. Henry do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, “for giving farther time to officers and soldiers, to ascertain their claims to lands;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made no amendment thereto.

*Ordered*, That the bill be engrossed, and read the third time.

*Ordered*, That Meriwether Smith Esq., be desired to attend this House on Thursday next, to give such information as may be required of him, and he is at liberty to communicate, respecting the state of public affairs at Congress.

A petition of Cary Wilkinson, agent for John Paradise and Lucy his wife, was presented to the House, and read; setting forth, that a considerable estate of the said John Paradise, which he held in right of his wife, who is a native of this country, hath been found, by inquisitions lately had thereon, to be forfeited under the act “concerning escheats and forfeitures from British subjects;” that as the said John Paradise is a native of Thessalonica in Greece, and only resident in England from commercial views, having never become a naturalized subject thereof, and has been uniformly attached to the American cause, he conceives the said estate ought not to come within the operation of that law; and praying that it may be relieved therefrom.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill, “to amend the act concerning escheats and forfeitures from British subjects.”

*Ordered*, That a committee be appointed to examine the treasurer's accounts.

And a committee was appointed, of Messrs. Baker, Carrington, Parker, Talbot, Pride, Pickett, Garland Anderson, Strother, James Taylor, Edmondson, Moore, Hutchings, Reynolds, Pendleton, Peachey, Mosby, Skinker, Hunter, Lewis, Wilkinson and Thompson.

*Ordered*, That a message be sent to the Senate, to acquaint them that this House hath appointed a committee to examine the treasurer's accounts, and that if they please to appoint a committee of their House for that purpose, both committees may proceed to do business together.

*Ordered*, That Mr. Baker do carry the said message.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and also upon the bills, “for the better regulation and discipline of the militia;” “concerning non-jurors;” and “to empower the treasurer to receive certain certificates;” being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY, October 27, 1779.

Mr. Munford presented, according to order, a bill “to suppress excessive gaming;” and the same was received and read the first time, and ordered to be read a second time.

Mr. Munford presented, according to order, a bill “to explain and amend two several acts of the last session of General Assembly, for fixing the allowance of the members thereof;” and the same was received and read the first time, and ordered to be read a second time.



An engrossed bill, "for giving farther time to officers and soldiers to ascertain their claims to lands," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for giving farther time to officers and soldiers to ascertain their claims to lands."

*Ordered*, That Mr. Munford do carry the bill to the Senate, and desire their concurrence.

A petition of Robert Birchill and Lessenby Williams, inspectors at Blandford, was presented to the House, and read; setting forth, that the warehouses at the said inspection have been broke open, and sundry tobaccos stolen thereout, for which they have been obliged to pay; and praying relief.

Also, a petition of George Hart; setting forth, that he acted as doctor at Fort Patrick Henry, in Washington county, in the year 1777, by appointment of the Virginia commissioners then at Holston; that the allowance made him by the auditors for ten months service, is very inadequate; and praying such farther allowance as may appear reasonable.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Munford reported, from the committee to whom the petition of John Baylor was referred, that the committee had, according to order, had the same under their consideration, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, that at the time of the battle of Lexington, the said John Baylor manifested his attachment to the American cause; that his voyage to England was in consequence of an honorable engagement he had entered into with his present lady; that during his residence in England, by private letters which passed between him and his correspondents on both sides of the Atlantic, he appears to have been a warm advocate for the rights of America, and a friend to the declaration of independence; that being taken by a British man of war in his attempt to reach his native country, he did, before a British Court of Admiralty, make a bold avowal of his being a subject to the State of Virginia, and refused to answer interrogatories to the prejudice of the vessel and cargo wherewith he was captured, being the property of our French allies.

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the said John Baylor hath uniformly acted as a friend to the interest of America, as well during his residence in Britain as elsewhere.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution; and that the committee appointed to prepare and bring in a bill "to amend the act 'concerning escheats and forfeitures from British subjects,'" do prepare and bring in the same.

Mr. Edmondson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the counties of Spottsylvania and Stafford, praying that a public ferry may be established from the land of ——— Dixon, in the county of Stafford, across Rappahannock river, to the land of Fielding Lewis, on the opposite shore, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the town of Alexandria, praying that the naval office for the district of South Potomac may be removed to and established in the said town of Alexandria, is reasonable.

A motion was made, and the question being put, that the first resolution be recommitted to the same committee, It was resolved in the affirmative.

The second resolution was read a second time, and agreed to by the House.

*Ordered*, That a bill or bills, be brought in pursuant to the second resolution, and that the committee of Propositions and Grievances do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for the better regulation and discipline of the militia;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the said bill.

Mr. Mason presented, according to order, a bill "for marking and opening a road over the Cumberland mountains in the county of Kentucky;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill "for more effectually providing against invasions and insurrections;" and that Messrs. Munford, Rose, Henry and Skinner, do prepare and bring in the same.

*Ordered*, That Mr. Burwell have leave to be absent from the service of this House until Monday next.

*Ordered*, That Messrs. Ball, Braxton, Lomax and Randolph, be added to the committee appointed to prepare and bring in a bill "to amend the act 'concerning escheats and forfeitures from British subjects.'"

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "concerning non-jurors;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the said report be received on Tuesday next.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to Samuel Porter. They have also agreed to the resolution for paying to Samuel Walker and others the respective sums therein mentioned. And to the resolution for paying a sum of money to Thomas Hite. And then he withdrew.

A petition of Thomas Bryan Martin, was presented to the House, and read; setting forth, that Thomas, Lord Fairfax, did grant to his nephew Philip Martin, of Great Britain, ten thousand acres of land in the county of Hampshire; that he expects the said Philip Martin will become a resident in this State, and has therefore laid off the said land into lots, and rented part thereof; and praying that the same may not be sequestered as British property.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill "to amend the act 'concerning escheats and forfeitures from British subjects."

A petition of sundry inhabitants of the county of Augusta was presented to the House, and read; setting forth, that they have seen the bill presented to the last Assembly, (and published, as they suppose, for the consideration of the people) "for establishing religious freedom," which they cordially approve of; and praying that the same may pass into a law.

*Ordered*, That the said petition be referred to the committee of the whole House, on the bill "concerning religion."

On a motion made,

*Ordered*, That a committee be appointed to prepare a circular letter to the several counties of this State, on the subject of taxation.

And a committee was appointed, of Messrs. John Taylor, Custis, Mason, Munford, Baker, Edmondson and Zane. The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the amendment of the law in cases of tender and refusal of money, and of secret assignments of bonds or other writings," being read,

*Ordered*, That the same be put off till Friday next.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also upon the bills "for regulating the importation of salt, and laying an embargo thereon;" and "for empowering the treasurer to receive certain certificates," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, October 28, 1779.

The Speaker laid before the House a letter from the Hon. Patrick Henry, Esq. one of the delegates of this Commonwealth in Congress, containing his resignation of that appointment; and the said letter was read, and ordered to lie on the table.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolution for discharging Charles Neilson from his present confinement. Also, to the resolution for paying John Hughes a sum of money. They have also agreed to the bill "for continuing the Court of Admiralty in the city of Williamsburg." And to the bill "for discouraging extensive credits, and repealing the act 'prescribing the method of proving book debts,'" with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments, and the same being read were agreed to.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

Mr. Edmondson presented, according to order, a bill "concerning the naval office for the district of South Potomac;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Edmondson presented, according to order, a bill "to repeal part of an act, entitled 'an act, to amend an act, entitled 'an act for reviving several public warehouses for the inspection of tobacco,'" and the same was received and read the first time, and ordered to be read a second time.

Mr. John Taylor presented, according to order, a bill "for establishing Courts of Assize;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That a message be sent to the Senate, to inform them that this House are about to proceed to the examination of Meriwether Smith, Esq. one of the delegates of this Commonwealth in Congress, touching such information as he is at liberty to communicate, and the House may think necessary to require of him, respecting the state of

public affairs in Congress, and to invite them to take seats therein during such examination, and that Mr. Edmondson do carry the said message.

The House proceeded, in presence of the Senate, to examine Meriwether Smith, Esq. respecting the state of public affairs in Congress, and made some progress therein; but there not being time to go through the same, the Senate, and the said Meriwether Smith, Esq. withdrew.

*Ordered*, That the farther proceeding therein be put off till to-morrow.

A bill, "for marking and opening a road over the Cumberland mountains in the county of Kentucky," was read the second time, and ordered to be engrossed, and read the third time.

A message from the Senate by Mr. Matthews:

MR. SPEAKER,—The Senate have agreed to the bill, "for establishing the town of Boonsborough, in the county of Kentucky." And then he withdrew.

A bill, "to explain and amend two several acts of the last session of General Assembly, for fixing the allowance of the members thereof," was read the second time, and ordered to be engrossed and read the third time.

*Ordered*, That Mr. Poindexter have leave to be absent from the service of this House, until Monday next.

A bill, "to suppress excessive gaming," was read the second time, and ordered to be committed to a committee of the whole House, on Wednesday next.

*Ordered*, That Mr. Newton be added to the committee of Trade.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for empowering the treasurer to receive certain certificates," being read,

*Ordered*, That the same be put off till Monday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and also, on the bill "for regulating the importation of salt, and laying an embargo thereon," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### FRIDAY, October 29, 1779.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, the petition of John Pendleton, to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, that in the month of October last, the petitioner was appointed by the county court of Hanover, to procure provisions for the support and subsistence of Catharine Cameron and her six children, then in needy circumstances, whose husband was a soldier in the continental army; by virtue of which appointment, he purchased six barrels and four bushels of Indian corn, and three hundred and forty-five pounds of pork, amounting to 134l. 13s., which was appropriated to their relief; that in the month of March following, the said court granted a certificate for payment thereof, not knowing that the act of Assembly, establishing a board of auditors which passed about the time the provisions were furnished, limited the allowance to a much less sum; that upon application to the treasurer for payment, the petitioner was referred to the auditors, who, being informed that the said Catharine was a widow at the time the court granted their certificate, thought themselves not empowered to allow more than twelve pounds in that case, which the petitioner refused to accept:

*Resolved*, that it is the opinion of this committee, That the said petition is reasonable; and that the petitioner ought to be allowed the said sum of 134l. 13s.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That a committee be appointed to inspect the enrolled bills.

And a committee was appointed, of Messrs. Munford, Pride, Skinker, Tazewell, Rose, Tyler, Randolph, and Garland Anderson.

An engrossed bill, "for marking and opening a road over the Cumberland mountains into the county of Kentucky," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, for marking and opening a road over the Cumberland mountains, into the county of Kentucky."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

A petition of Susanna Riddell was presented to the House, and read; setting forth, that she is in possession of a negro man slave, named John Hope, (alias barber Cæsar,) whose exemplary conduct for thirty years past, justly entitles him to his freedom; and praying that an act may pass to manumit the said slave.

Also, a petition of Thomas Smith; setting forth, that he hath claim to sundry importation rights, which he is precluded from establishing by an act of the last session of Assembly, that took its operation during his absence from this State while charged with a public mission; and praying relief.



*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

An engrossed bill, "to explain and amend two several acts of the last session of General Assembly, for fixing the allowance of the members thereof," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, to explain and amend two several acts of the last session of General Assembly, for fixing the allowance of the members thereof."

*Ordered*, That Mr. Munford do carry the bill to the Senate, and desire their concurrence.

A bill, "to repeal part of an act, entitled 'an act, to amend an act, entitled 'an act to amend an act 'for reviving several public warehouses for the inspection of tobacco,'" was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "concerning the naval office for the district of South Potomac," was read the second time, and ordered to be committed to the committee of Trade.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the Governor, with the advice of the Council, be empowered to grant brevet commissions to such officers as they may think deserving of the same.

And the said resolution was read, and ordered to lie on the table.

A petition of Hugh Wallis, was presented to the House, and read; setting forth, that while a soldier in Captain Johnson's company of the sixth Virginia regiment, he lost a leg in the service of his country; that he has a wife and six small children to support on his half pay, which is very insufficient thereto; and praying farther relief.

Also, a petition of William Dickenson; setting forth, that while a soldier in the sixth Virginia regiment, he lost an arm at the battle of Brandywine; that the allowance of 24*l.* per annum made him by the Assembly, is at this time very inadequate to his support; and praying farther relief.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House being informed, that Mr. George Bird, one of the members for the county of Middlesex, attended in custody of the serjeant at arms,

*Ordered*, That the said George Bird be discharged out of custody, paying fees.

The House then proceeded, in presence of the Senate, according to the order of the day, to the farther examination of Meriwether Smith, Esq. respecting the state of public affairs in Congress; and having gone through the same, the Senate and the said Meriwether Smith, Esq. withdrew.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the amendment of the law, in cases of tender and refusal of money, and of secret assignments of bonds or other writings," being read,

*Ordered*, That the same be put off till Monday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and also upon the bill "for regulating the importation of salt, and laying an embargo thereon," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, October 30, 1779.

The Speaker laid before the House, a letter from the Governor, on the subject of granting a brevet commission to Captain Lemair; which was read and ordered to lie on the table.

The Speaker laid before the House, a letter from Cuthbert Bullitt, Esq. respecting information taken before a committee of this House, concerning the default of the sheriff of Prince William county, as to certain public monies in his possession; which was read, and together with sundry documents enclosed therein, ordered to be referred to the committee appointed to inquire into the default of certain sheriffs.

A memorial of the officers of the State garrison regiment was presented to the House, and read; setting forth, that having always considered themselves to be on a similar establishment with the continental officers, and entitled to the same pay and rations, they find themselves particularly injured by a denial of the equal benefits of a resolution of Congress, respecting the subsistence money of their troops, which has been withheld from them by the Governor and Council, and praying the interposition of this House.

*Ordered*, That the said memorial be referred to the committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Stevens:

MR. SPEAKER,—The Senate have agreed to the bill, "for giving farther time to officers and soldiers to ascertain their claims to lands." They have also agreed to the bill, "to explain and amend two several acts of the last session of General Assembly for fixing the allowance of the members thereof." And then he withdrew.

Mr. Nelson reported, from the committee of Propositions and Grievances, that the committee had, according

to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth :

*Resolved, that it is the opinion of this committee,* That so much of the petition of Mary Seayres, widow of lieutenant colonel John Seayres, who was slain in the battle of Germantown, as prays to be allowed a sum of money for her present relief, is reasonable, and that she ought to be allowed the sum of five hundred pounds.

*Resolved, that it is the opinion of this committee,* That such other parts of the petition of the said Mary Seayres, as prays that her three sons may be educated at the public expense, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of the inspectors of tobacco at the warehouses in the town of Falmouth, praying that the allowance for inspecting tobacco may be increased, and that the law regulating such inspection may be amended, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the county of Amherst, praying that an act may pass vesting the commissioners of the tax in the said county with power to hear the appeals of those who reside in the sixth hundred, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of John Hurt, clerk, praying that the chaplains to regiments or brigades raised by this State, and upon continental establishment, may be allowed the like quantity of lands as are given to commissioned officers receiving the same pay and rations, upon serving the time required by law for officers and soldiers, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of Richard Callaway, praying that a public ferry may be established from the town of Boonsborough, in the county of Kentucky, across Kentucky river, to the opposite shore, and that the said ferry may be vested in the said Richard Callaway, his heirs or assigns, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the town of Manchester, praying that an act may pass to prevent hogs and goats running at large within the said town, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of Joseph Eggleston and William Eggleston, of the county of Amelia, praying that the proceedings of the commissioners of the tax for the said county, who held their court of appeals after the time prescribed by law, may be set aside, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of the trustees of the town of Alexandria, praying that the sales and leases which they have made for parcels of ground or water adjoining the lots of the said town may be confirmed, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of divers persons, whose names are thereunto subscribed, praying that they may be allowed a farther time to build upon and save certain lots of land purchased by them of John Alexander, deceased, adjoining the town of Alexandria, and that the same may be added to and made part of the said town, is reasonable.

The 1st and 2d resolutions being read a second time, were amended, and agreed to by the House.

The 3d, 4th, 5th, 6th and 9th resolutions were read a second time, and agreed to by the House.

The 8th and 10th resolutions were read a second time, and ordered to be recommitted to the same committee.

*Ordered,* That General Nelson do carry the first resolution to the Senate, and desire their concurrence.

*Ordered,* That a bill or bills, be brought in pursuant to the 2d, 3d, 5th, 6th and 9th resolutions, and that the committee of Propositions and Grievances do prepare and bring in the same.

The Speaker laid before the House a letter from the Governor, respecting the purchase of a frigate for the use of the State, which was read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

On a motion made,

*Resolved, nemine contra dicente,* That the thanks of this House be given to Meriwether Smith, Esq., for the faithful discharge of his duty as a member of Congress from this State ; that the House are truly sensible of his independent and upright conduct, and highly satisfied with the just state he has given of their affairs, both at home and abroad.

*Ordered,* That General Nelson and Mr. Edmondson do wait on Mr. Smith with the said resolution.

The Speaker laid before the House a letter from the Governor, stating the proceedings of the Executive on the resolutions of Assembly respecting Messrs. Penett and Company and John Ballendine, which was read, and ordered to be referred to the committee of Propositions and Grievances.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth :

*Resolved, that it is the opinion of this committee,* That the petition of Susanna Riddell, praying that her negro man slave named John Hope, but commonly called barber Caesar, may be emancipated, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of Thomas Walker, the younger, praying that his negro man slave called William Beck, may be emancipated, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of Lewis Dunn, praying that a mulatto girl named Peg, the property of the petitioner, may be emancipated, is reasonable.

*Resolved, that it is the opinion of this committee,* That so much of the petitions of divers inhabitants of the coun-



ties of Loudoun, Prince William and Stafford, as prays that the time of proving importation rights may be extended, is reasonable.

*Resolved, that it is the opinion of this committee,* That such other parts of the said petitions as pray that so much of the act, entitled "an act for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth's land office," as relates to importation rights, may be explained and amended, and that persons claiming lands under such rights may be compelled to make legal proof thereof, be rejected.

The 1st, 2d, 3d and 4th resolutions being read a second time, were agreed to by the House.

The 5th resolution was read a second time, and ordered to lie on the table.

*Ordered,* That a bill or bills, be brought in pursuant to the 1st, 2d, 3d and 4th resolutions; and that the committee of Propositions and Grievances do prepare and bring in the same.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth :

*Resolved, that it is the opinion of this committee,* That the petition of Eleanor Hutson, whose husband John Hutson was employed by Colonel Shelby as his guide to the Indian towns, and being ordered by the said Shelby on express, in the month of February last, with letters to Colonel Martin, advising him to remove from the Indian country to the Great Island agreeable to the Governor's instructions, was unfortunately drowned in the execution of that business, leaving the petitioner and five small children in very great distress, is reasonable; and that the petitioner ought to be allowed the sum of twenty-four pounds for the present relief of herself and children, and the farther sum of twelve pounds per annum during her widowhood.

*Resolved, that it is the opinion of this committee,* That the petition of Dr. John De Sequeyra, is reasonable; and that the petitioner ought to be allowed the sum of two hundred and fifty pounds for visiting and attending the insane persons in the public hospital once in every week, for a year, ending the 17th day of December next.

*Ordered,* That Mr. Lee do carry the resolutions to the Senate, and desire their concurrence.

*Ordered,* That Messrs. Page, Custis, Edmondson and Reynolds, be added to the committee appointed to bring in a bill, "to amend the act, concerning escheats and forfeitures from British subjects."

A petition of the proprietors of tobacco burnt by the enemy on the 14th of June last, in north and south Wicomico warehouses, was presented to the House, and read; setting forth, that if retribution is not speedily made them for their losses, they will be reduced to the necessity of selling part of their estates to pay their taxes; and praying relief.

Also, a petition of John Anderson and Mede Anderson; setting forth, that they have discovered a vein of lead ore on a tract of unappropriated land belonging to the State; that they are desirous of erecting works to open the same, but are apprehensive the tax on the said land will be very burdensome; and praying that in lieu of the tax the public may receive one twentieth part of the neat lead made therefrom, and that such other encouragement may be extended to them as the wisdom of the House shall deem right.

*Ordered,* That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and also upon the bill, "for regulating the importation of salt, and laying an embargo thereon," being read,

*Ordered,* That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

## MONDAY, November 1, 1779.

The House being informed that Mr. Alexander Stuart, one of the members for the county of Rockbridge, attended in custody of the serjeant at arms,

*Ordered,* That the said Alexander Stuart be discharged out of custody, paying fees.

On a motion made,

*Ordered,* That the House be called over immediately.

The House being accordingly called over, the names of the members who failed to appear were noted; and the names of those who made default being again called over, some were excused on account of sickness, employments in the service of the public elsewhere, and other justifiable avocations.

*Ordered,* That the serjeant at arms attending this House take into his custody, Mr. John Teacle, one of the members for the county of Accomack; Mr. William McClanahan and Mr. George Skillering, members for the county of Botetourt; Mr. Joseph Greenhill, one of the members for the county of Brunswick; Mr. John Tyler, one of the members for the county of Charles City; Mr. Jerman Baker, one of the members for the county of Chesterfield; Mr. Beverley Randolph, one of the members for the county of Cumberland; Mr. John Tabb, one of the members for



the county of Elizabeth City; Mr. William Roane, one of the members for the county of Essex; Mr. John Parke Custis, one of the members for the county of Fairfax; Mr. John Whiting and Mr. John Fox, members for the county of Gloucester; Mr. John S. Wills and Mr. Josiah Parker, members for the county of Isle of Wight; Mr. James Harrod, one of the members for the county of Kentucky; Mr. Robert Anderson, one of the members for the county of Louisa; Mr. William Harvey, one of the members for the county of Middlesex; Mr. Walter Crockett and Mr. William Doak, members for the county of Montgomery; Mr. John Brickell, one of the members for the county of Nansemond; Mr. Andrew Robison and Mr. Samuel McCulloch, members for the county of Ohio; Mr. William Robinson, one of the members for the county of Princess Anne; Mr. Silas Hart, one of the members for the county of Rockingham; Mr. John Rogers, one of the members for the county of Southampton; Mr. Abraham Bird and Mr. John Tipton, members for the county of Shenandoah; Mr. Mann Page, jun. one of the members for the county of Spotsylvania; Mr. James Garrard, one of the members for the county of Stafford; Mr. William Brown, one of the members for the county of Surry; Mr. David Campbell and Mr. Isaac Shelby, members for the county of Washington; Mr. James Innes, one of the members for the county of Yohogania; and Mr. Henry Tazewell, member for the city of Williamsburg.

The House being informed that Mr. John Talbot, one of the members for the county of Bedford; Mr. Thomas Lomax, one of the members for the county of Caroline; Mr. William Norvell, one of the members for the county of James City; Mr. Edward Harwood and Mr. Cole Digges, members for the county of Warwick; Mr. Nicholas Lewis, one of the members for the county of Albemarle; Mr. John Tyler, one of the members for the county of Charles City; Mr. Jerman Baker, one of the members for the county of Chesterfield; Mr. Josiah Parker, one of the members for the county of Isle of Wight; Mr. John Parke Custis, one of the members for the county of Fairfax; Mr. Robert Anderson, one of the members for the county of Louisa; and Mr. Henry Tazewell, member for the city of Williamsburg, attended in custody of the serjeant at arms,

*Ordered*, That the said John Talbot, Thomas Lomax, William Norvell, Edward Harwood, Cole Digges, Nicholas Lewis, John Tyler, Jerman Baker, Josiah Parker, John Parke Custis, Robert Anderson, and Henry Tazewell, be discharged out of custody, paying fees.

The House being informed that Mr. James Garrard, one of the members for the county of Stafford, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on this day,

*Ordered*, That the said James Garrard be discharged out of custody, without paying fees.

*Ordered*, That leave be given to bring in a bill, "to amend the act 'appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms;" and that Messrs. John Taylor and Strother do prepare and bring in the same.

A petition of Christopher Godwin was presented to the House, and read; setting forth, that by a fraudulent lease obtained of him by a certain John Hamilton, he is greatly injured in his estate; that the said John Hamilton hath committed other personal injuries to the petitioner, and fled his country, his estate having become forfeited to the Commonwealth by a late law; and praying to be revested in such part of the said Hamilton's estate as was fraudulently obtained of him.

Also, a petition of Andrew Edwards; setting forth, that the quantity of tobacco brought to Cave's warehouse is very inconsiderable, and the salary of the inspectors so insufficient that none will act; and praying that the said inspection may be discontinued.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Amherst, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they have seen and highly approve the bill which was presented to the last Assembly, "for establishing religious freedom," and praying that the same may pass into a law.

*Ordered*, That the said petition be referred to the committee of the whole House on the bill "concerning religion."

A petition of the vestry of Hanover parish, in the county of King George, was presented to the House, and read; setting forth, that the glebe of the said parish is very inconvenient to the minister and people, and praying that an act may pass to sell the same.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill, "for establishing Courts of Assize," was read the second time, and ordered to be committed to a committee of the whole House, on Wednesday next.

Mr. Carrington presented, according to order, a bill "for farther continuing an act, entitled 'an act for giving certain powers to the Governor and Council,'" and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington presented, according to order, a bill "for farther continuing an act, entitled 'an act to empower the Governor and Council to lay an embargo for a limited time,'" and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington presented, according to order, a bill "to revive an act, entitled 'an act to amend an act 'for preventing forestalling, regrating engrossing, and public vendues,'" and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington presented, according to order, a bill "for farther continuing an act, entitled 'an act to empower the Governor and Council to superintend and regulate the public jail;'" and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington presented, according to order, a bill "for continuing an act, entitled 'an act to revive and amend an act, entitled 'an act to make provision for the support and maintenance of idiots, lunatics, and other persons of unsound mind;'" and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington presented, according to order, a bill "for farther continuing an act, entitled 'an act to enable the Governor and Council to supply the armies and navies of the United States, and of their Allies, with grain and flour;'" and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington reported, from the committee to whom the bill, "to amend the act 'for regulating ordinaries and restraint of tippling houses,'" was committed, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made no amendment thereto.

*Ordered*, That the bill be engrossed and read the third time.

Mr. Munford reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, inspected several enrolled bills, to them referred, and found them to be truly enrolled.

*Ordered*, That Mr. Munford do carry the said bills to the Senate for their inspection.

A petition of William Smith and Henry Bressie, was presented to the House, and read; setting forth, that some time in the year 1775, upon application of William Aylett, then commissary, they reserved a parcel of blanketing for the use of the State troops, of which they were plundered by the British troops under the command of Lord Dunmore; and praying to be made compensation for the same.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Gen. Nelson reported, that the committee had, according to order, had under their consideration the state of the Commonwealth, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to, as followeth:

*Resolved*, That all attempts to possess lands within this State, without the countenance of law, are violent infringements of the rights of this Commonwealth, and should be prevented by prompt exertion.

*Resolved*, That the Governor, with the advice of the Council, be empowered to cause a small picket to be erected at some convenient place, for the securing prisoners of war; and that he also order proper vessels belonging to this State to be moored in some convenient harbor for the same purpose.

*Resolved*, That the officers and soldiers in the pay of this Commonwealth, are entitled to the same pay and subsistence as is given to the officers and soldiers in the pay of the continent.

*Resolved*, That the Governor, with the advice of the Council, be empowered to appoint an assistant clerk to the Board of Council.

*Resolved*, That the Board of War be directed to grant a certificate to Harrison Randolph, Esq. for so much money as may be adequate to his services as assistant clerk, at the same rate, in proportion to the time he was employed, with the salary allowed their standing clerk.

*Ordered*, That a bill or bills, be brought in pursuant to the first resolution; and that Messrs. Gen. Nelson, Munford, Alason, Baker, and Tazewell, do prepare and bring in the same.

*Ordered*, That Gen. Nelson do carry the 2d, 3d, 4th and 5th resolutions to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

On a motion made,

*Resolved*, That the Governor and Council be desired to furnish all soldiers who have served the time of their respective enlistments in any regiment raised to complete the quota of this Commonwealth in the continental army, with such clothing as they have not received, and was promised by law, or such sums of money in lieu thereof, as are allowed to the draughts of militia, by a resolution of June 19th, 1779.

*Ordered*, That Mr. John Taylor do carry the resolution to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "to empower the Treasurer to receive certain certificates," being read,

*Ordered*, That the same be put off till Wednesday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the amendment of the law in cases of tender and refusal of money, and of secret assignments of bonds and other writings," being read,

*Ordered*, That the same be put off till Monday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for regulating the importation of salt, and laying an embargo thereon," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.



TUESDAY, November 2, 1779.

Mr. Munford reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, inspected several others, and found them to be truly enrolled.

*Ordered*, That Mr. Munford do carry the said bills to the Senate for their inspection.

An engrossed bill, "to amend the act, entitled 'an act for regulating ordinaries and restraint of tippling houses,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to amend the act, entitled 'an act for regulating ordinaries and restraint of tippling houses.'"

*Ordered*, That Mr. Carrington do carry the bill to the Senate, and desire their concurrence.

Mr. John Taylor presented, according to order, a bill, "for amending an act, appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms;" and the same was received and read the first time, and ordered to be read a second time.

The House being informed, that Mr. William Roane, one of the members for the county of Essex; Mr. John Rogers, one of the members for the county of Southampton; and Mr. John Tabb, one of the members for Elizabeth City, attended in custody of the serjeant at arms,

*Ordered* That the said William Roane, John Rogers and John Tabb, be discharged out of custody, paying fees.

A bill, "for farther continuing an act, entitled 'an act to empower the Governor and Council to superintend and regulate the public jail,'" was read the second time, and ordered to be committed to the committee of Courts of Justice.

A bill, "for farther continuing an act, entitled 'an act to enable the Governor and Council to supply the armies and navies of the United States, and of their Allies, with grain and flour,'" was read the second time, and ordered to be engrossed and read the third time.

A petition of Thomas Trent was presented to the House, and read; setting forth, that being a soldier of the Commonwealth, in the continental service, he lost both his arms in the battle of Monmouth; that the pay of a soldier allowed him is very insufficient to his support; and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Henry was presented to the House, and read; setting forth, that the great extent of their county is very inconvenient to the inhabitants thereof; and praying that the same may be divided agreeable to certain boundaries therein expressed.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Minson Galt and Robert Prentis, executors of Richard Charlton, deceased, was presented to the House and read, setting forth, that by a deficiency of proof respecting the will of the said Richard Charlton, the whole of his real estate will descend to his heir at law, contrary to the intention of the testator, and greatly to the injury of his other children; that the ceremonies of law have been substantially complied with, on this occasion; but no remedy can be had by the strict rules of common law or chancery, and praying that an act may pass to establish the said will, so far as it respects the real estate afore-mentioned.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

A bill, "for farther continuing an act, entitled 'an act to empower the Governor and Council to lay an embargo for a limited time,'" was read the second time, and ordered to be engrossed and read the third time.

A bill, "to revive an act entitled an act to amend an act for preventing forestalling, regrating, engrossing, and public vendues," was read the second time, and ordered to be committed to the committee of Trade.

A bill, "for continuing an act, entitled 'an act to revive and amend an act, entitled 'an act to make provision for the support and maintenance of idiots, lunatics, and persons of unsound minds,'" was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "for farther continuing an act, entitled 'an act for giving certain powers to the Governor and Council,'" was read the second time, and ordered to be engrossed and read the third time.

General Nelson, from the committee appointed to wait on Meriwether Smith, Esq. and to present him with the resolution of this House, containing their thanks for his public conduct as a delegate of this State in Congress, reported, that the committee had, according to order, attended Mr. Smith with the same; to which he returned the following answer:

WILLIAMSBURG, November 1, 1779.

Nothing can be more flattering to me than the honorable testimony which the House of Delegates have given of their approbation of my conduct as a member of Congress. In the various public stations where I have had the honor to be placed, I have endeavored to merit the regard of my country, by a faithful discharge of my duty, and a constant attention to the interests of the State; and the obligation under which the House of Delegates have laid me, by repeating the instances of their regard, demands that I should give them an explicit assurance, that the safety,



prosperity, and happiness of my country, shall continue the first and great objects of my attention, so long as I shall possess the powers of being, in any respect, serviceable to it, either in a public or private station.

I request you to communicate these sentiments to the House of Delegates; and I entreat you to accept my regards for the polite manner in which you have been pleased to make known to me their resolution.

A message from the Senate by Mr. Griffin.

MR. SPEAKER,—The Senate have inspected several enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

The Speaker then signed the following enrolled bills, "an act to explain and amend two several acts of the last session of General Assembly for fixing the allowance of the members thereof." "An act for providing a great seal for the Commonwealth, and directing the lesser seal of the Commonwealth to be affixed to all grants for lands, and to commissions civil and military." "An act giving farther time to officers and soldiers to ascertain their claims to lands." "An act for granting warrants to Charles Simms, gentleman, to survey certain lands." "An act for establishing the town of Boonsborough in the county of Kentucky." "An act for discouraging extensive credits, and repealing the act prescribing the method of proving book debts." "An act for continuing the court of Admiralty in the city of Williamsburg."

*Ordered*, That the committee of Propositions and Grievances be discharged from proceeding on the memorial of the President and Professors of William and Mary College to them referred, and that the said memorial be referred to the committee of the whole House on the state of the Commonwealth.

Mr. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration the petition of divers inhabitants of the parish of Drysdale, in the counties of Caroline and King and Queen, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the said parish of Drysdale, praying that the said parish may be divided by a line to begin at the lower corner of the land of John Page, Esq. upon Mattapony river, thence along his lower line and those of Christopher Smith, Anthony Seal, and Frederick Philips, to the corner of the lands of Edmund Pendleton, the elder, Esq. and Capt. Edmund Jones; thence along the line between them to Morococick creek, thence up the creek to the mouth of Phillip's run, thence up the said run to Digges's upper line, thence along that line and the course thereof continued to the line of Essex county, and that the two churches in the said parish may be appraised by disinterested judges, and the glebe land sold, and the money proportioned between the old parish and the new, according to the number of titables in each, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the said parish, in opposition thereto, be rejected.

*Ordered*, That a bill or bills be brought in pursuant to the first resolution, and that the committee for Religion do prepare and bring in the same.

*Ordered*, That Mr. Hite have leave to be absent from the service of this House for the remainder of the session. The House proceeded to consider the resolution of the committee of Propositions and Grievances, which lay on the table respecting the petitions of divers inhabitants of the counties of Loudoun, Prince William, and Stafford; and the same being twice read, was amended, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That such other parts of the said petitions as prays that so much of the act entitled "an act for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth's Land Office," as relates to importation rights, may be explained and amended, so as to have retrospect to certificates obtained under the former laws, and that persons claiming lands under such rights, may be compelled to make farther legal proof thereof, be rejected.

General Nelson presented, according to order, a bill, "for more effectually securing to the officers and soldiers of the Virginia line the lands reserved for them; "for discouraging present settlements on the north west side of the Ohio river;" and, "for punishing persons attempting to prevent the execution of Land Office warrants;" and the same was received, and read the first time, and ordered to be read a second time.

Mr. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration, the petition of the church wardens and vestry of the parish of Antrim, in the county of Halifax, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the church wardens and vestry of the parish of Antrim, in the county of Halifax, praying a dissolution of the said vestry, and that the glebe lands belonging thereto may be sold, and the money arising from the sale thereof, laid out in the purchase of a more convenient glebe, is reasonable.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution, and that the committee for Religion do prepare and bring in the same.

A motion was made, and the question being put, that leave be given to bring in a bill, "to suspend the operation of the act for the removal of the seat of government,"

It passed in the negative.

*Ordered*, That the names of the members who voted on each side of the question, be entered on the Journal.

The names of the members who voted in the affirmative, are: James Henry, Joseph Peebles, Thomas Lomax, John Tyler, John Tabb, John Edmondson, William Roane, George Mason, John Parke Custis, Charles Chilton, William Norvell, Nathaniel Burwell, Josiah Parker, Carter Braxton, Holt Richeson, William Ball, John Garland, Samuel Goode, Robert Munford, George Bird, John Evans, Armistead Russell, James Taylor, John Stratton, Ben-net Tompkins, John Hull, John Thorowgood, John Hooe, Robert Wormeley Carter, William Peachey, John Rogers, Allen Cocke, Henry Gee, Cole Digges, Richard Lee, William Harrison, Thomas Nelson, jun., William Reynolds, Henry Tazewell and John Hutchings.

The names of the members who voted in the negative, are: Nicholas Lewis, John Pride, Samuel Sherwin, John Rose, Nicholas Cabell, Zachariah Johnson, John Cunningham, John Talbot, James Buford, Moses Hunter, Anthony Winston, Joseph Curd, John Taylor, John Brent, George Carrington, George Weatherall, French Strother, Joseph Jones, Martin Pickett, Isaac Zane, Stephen Sampson, William Hutchinson, Micajah Watkins, John Coleman, Garland Anderson, John Pendleton, John Powell, Peter Saunders, Thomas Rowe, John Washington, John Skinner, Thomas Johnson, Robert Anderson, James Johnson, William Moore, Benjamin Lankford, John Wilson, Littlebury Mosby, Thomas Flournoy, James Field, William M'Kee, Alexander Stewart, John Gratton, John Hopkins and James Garrard.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and also upon the bills, "concerning religion;" and "for regulating the importation of salt, and laying an embargo thereon," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to receive the report from the committee of the whole House, on the bill, "concerning non-jurors," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till Monday morning, 10 o'clock.

### WEDNESDAY, November 3, 1779.

A message from the Senate by Mr. Taylor:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to John Pendleton.

They have also agreed to the resolution, for paying a sum of money to the widow of the late Lieutenant Col. John Seayres. And then he withdrew.

A message from the Senate by Mr. Stevens:

MR. SPEAKER,—The Senate have agreed to the resolution for furnishing a deficiency of clothing to certain soldiers. And then he withdrew.

*Ordered*, That the committee of Trade, be directed to take under their consideration the several claims of the inhabitants of Norfolk and Portsmouth, deferred for further proof from the last session of Assembly; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

General Nelson presented, according to order, a bill, "to amend the act concerning escheats and forfeitures from British subjects;" and the same was received, and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to Dr. Seqneyra. And then he withdrew.

General Nelson presented, according to order, a bill, "for establishing a new ferry;" and the same was received and read the first time, and ordered to be read a second time.

General Nelson presented, according to order, a bill, "for giving a bounty of lands to the chaplains of regiments or brigades raised by this State, and upon continental establishment;" and the same was received and read the first time, and ordered to be read a second time.

General Nelson presented, according to order, a bill, "concerning certain claims to waste or unappropriated lands;" and the same was received and read the first time, and ordered to be read a second time.

General Nelson presented, according to order, a bill, "for the manumission of certain slaves;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Munford presented, according to order, a bill, "for more effectually providing against invasions and insurrections;" and the same was received and read the first time, and ordered to be read a second time.

A petition of sundry inhabitants of the parish of Littleton, in the county of Cumberland, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they are informed petitions are about to be presented to this House by the dissenters in that parish, to remove the Rev. Mr. M'Kae, the present incumbent thereof; and praying that the said M'Kae may not be removed; and that the law imposing a triple tax on non-jurors, may be altered in certain cases.

*Ordered*, That the said petition do lie on the table.

A petition of Martin Pickett, was presented to the House, and read; setting forth, that he hath a claim against



the estate of John Goodrich, the elder, whose estate is become escheated to the Commonwealth, which accrued before he fled from this country; and praying that provision may be made to secure the payment thereof.

Also, a petition of the justices of the county court of Charlotte; setting forth, that they had allowed the claims of sundry persons for the support of the widows of soldiers slain in the service, and exceeded the sum limited by a late law for that purpose, before the said law came to their knowledge; whereby the payment of the said claims hath been refused by the auditors; and praying relief.

Also, a petition of George Holland; setting forth, that he hath cured the wife of a soldier in the continental army, who was afflicted with a grievous ulcer, and praying to be made some compensation for his trouble and expense therein.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Lunenburg, whose names are thereunto subscribed, was presented to the House and read; setting forth, that they have seen a bill which they suppose was published by order of the last Assembly, "for establishing religious freedom;" and are of opinion that the christian religion, free from the errors of popery, and a general contribution to the support thereof, ought to be established from the principle of public utility; and praying that the reformed protestant religion, including the different denominations thereof, with a general assessment to support the same, may be established.

*Ordered*, That the said petition be referred to the committee of the whole House, on the bill, "concerning religion."

The House being informed, that Mr. William Brown, one of the members for the county of Surry; Mr. John Scasbrook Wills, one of the members for the county of Isle of Wight; Mr. Beverley Randolph, one of the members for the county of Cumberland; and Mr. Mann Page, jun., one of the members for the county of Spotsylvania, attended in custody of the serjeant at arms,

*Ordered*, That the said William Brown, John Scasbrook Wills, Beverley Randolph, and Mann Page, jun. be discharged out of custody, paying fees.

An engrossed bill, "for farther continuing an act, entitled 'an act, for giving certain powers to the Governor and Council,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for farther continuing an act, entitled 'an act, for giving certain powers to the Governor and Council.'"

*Ordered*, That Mr. Carrington do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for farther continuing an act, entitled 'an act, to empower the Governor and Council to lay an embargo for a limited time,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for farther continuing an act, entitled 'an act to empower the Governor and Council to lay an embargo for a limited time.'"

*Ordered*, That Mr. Carrington do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for farther continuing an act, entitled 'an act to enable the Governor and Council to supply the armies and navies of the United States, and of their Allies, with grain and flour,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act, for farther continuing an act, entitled 'an act to enable the Governor and Council, to supply the armies and navies of the United States, and of their Allies, with grain and flour.'"

*Ordered*, That Mr. Carrington do carry the bill to the Senate, and desire their concurrence.

A petition of David Ross, was presented to the House, and read; setting forth, that having always manifested a uniform attachment to this Commonwealth, he is greatly surprized to hear that the Governor and Council entertain doubts of his right to remain as a citizen of the same, and praying that his case may be inquired into by this House.

Also, a petition of Edward West; setting forth, that the present ferry at the falls of Rappahannock river is very inconvenient to travellers and others, and praying that a ferry may be established from his land in Stafford county, across the north branch of Rappahannock river, to the land of Simon Miller on the opposite shore, in the county of Culpeper.

Also, a petition of sundry of the inhabitants of the county of Spotsylvania, whose names are thereunto subscribed; setting forth, that great inconveniences will arise by the removal of their courthouse agreeable to a late law, and praying that the said law may be repealed or suspended, or that an act may pass for the division of their said county, agreeable to certain boundaries therein expressed.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Messrs. Hooe and Ball, be added to the committee of Trade.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for regulating the importation of salt, and laying an embargo thereon;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.



*Resolved*, That this House will, on Friday next, proceed by joint ballot with the Senate, to the choice of a member of the Privy Council or Council of State, in the room of Bolling Starke, Esq., who hath resigned.

*Ordered*, That Mr. Zane do acquaint the Senate therewith.

*Ordered*, That leave be given to bring in a bill "for encouraging the importation of salt;" and that Messrs. James Taylor, Mason and Page, do prepare and bring in the same.

*Ordered*, That no petitions be received in this House after Wednesday next.

*Ordered*, That a writ issue for the election of a delegate to serve in this present General Assembly, for the county of King and Queen, in the room of George Lyne, Esq. who hath accepted the office of a member of the Board of War.

The order of the day, for the House, to resolve itself into a committee of the whole House, on the bill, "for the better regulation and discipline of the militia," being read,

A motion was made, and the question being put that the same be put off till the 15th day of March next, It was resolved in the affirmative.

Ayes

42

Noes

34

*Ordered*, That the names of the members who voted on each side of the question, be entered on the Journal.

The names of the members who voted in the affirmative are, Nicholas Lewis, John Pride, Samuel Sherwin, Nicholas Cabell, Zachariah Johnson, James Cunningham, John Talbot, Moses Hunter, Joseph Peebles, Joseph Curd, John Taylor, George Carrington, George Weatherall, Joseph Jones, John Hopkins, William Hutchinson, Micajah Watkins, John Coleman, William A. Booth, Peter Saunders, John S. Wells, Thomas Rowe, Carter Braxton, Thomas Johnson, Robert Anderson, James Johnson, John Evans, Armistead Russell, Bennet Tompkins, Charles Porter, Benjamin Lankford, John Wilson, Littlebury Mosby, Thomas Flournoy, James Field, John Hooe, William M'Kee, Alexander Stuart, Allen Cocke, Gray Judkins, Henry Gee, and William Harrison.

The names of the members who voted in the negative are, John Rose, Thomas Lomax, John Tyler, John Brent, Beverley Randolph, French Strother, John Tabb, John Edmondson, William Roane, George Mason, John Parke Custis, Isaac Zane, John Whiting, Garland Anderson, John Pendleton, Nathaniel Burwell, Josiah Parker, John Washington, John Skinner, William Ball, Thomas Newton, William Moore, John Thorowgood, Robert W. Carter, William Peachey, John Gratton, John Rogers, Mann Page, jun., James Garrard, William Browne, Cole Digges, Richard Lee, Thomas Nelson, jun., and John Hutchins.

The order of the day for the House to resolve itself into a committee of the whole House, on the bill "for establishing Courts of Assize," being read,

*Ordered*, That the same be put off till Friday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill "to suppress excessive gaming;" and to receive the report from the committee of the whole House, on the bill "concerning non-jurors," being read,

*Ordered*, That the same be put off till Monday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and also upon the bills "to empower the treasurer to receive certain certificates," and "concerning religion," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, November 4, 1779.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Hugh Wallis; setting forth, that while a soldier in Captain Johnson's company of the sixth Virginia regiment, he lost his leg in the service of his country; that he has a wife and six small children to support on his half pay, which, from the high price of every necessary of life, is very insufficient for their ordinary support, and praying that he may be permitted to draw from the public store such necessary articles as he may want to the amount of his half pay, at the same rates soldiers now in actual service are allowed, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of William Smith and Henry Bressie; setting forth, that some time about the 1st of November, 1775, they being applied to by Thomas Newton, Esq., in behalf of Colonel William Aylett, the then commissary, reserved a parcel of blankets and rugs for the use of the State troops, to the amount of 78l. 5s. 6d. sterling cost, of which they were plundered by a party of the British troops under the command of Lord Dunmore, and praying compensation may be made them, is reasonable; and that the petitioners ought to be allowed the sum of 130l. 7s. 7d. current money of Virginia for the same.

*Resolved*, that it is the opinion of this committee, That the petition of George Hart; setting forth, that the allowance made him by the auditors for his services while he acted as doctor at Fort Patrick Henry, in Washington coun-

ty, in the year 1777, by appointment of the commissioners then at Holston, is insufficient; and praying a farther allowance, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of William Dickenson; setting forth, that while a soldier in the sixth Virginia regiment, he lost an arm at the battle of Brandywine, in consequence whereof he was allowed by the Assembly 24*l.* per annum, a sum at this time very inadequate to his support, and praying farther relief, is reasonable; and that the petitioner ought to be allowed the sum of 26*l.* for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of Thomas Trent; setting forth, that in the battle at Monmouth courthouse he lost both arms; that on application to the auditors on the 18th of last month, they allowed him 30*l.* for his present relief, a sum very insufficient to procure him the common necessary articles of life; and praying a farther allowance, is reasonable; and that the petitioner ought to be allowed the farther sum of 50*l.* for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of Maximilian Calvert, praying to be paid for his vessel which was taken by the committee of Safety in the year 1776, and converted into an armed vessel for the protection of the trade of James river, is reasonable; and that the petitioner ought to be allowed the sum of 2,420*l.* for the said vessel.

The 1st, 2d, 3d, 4th and 5th resolutions were again read, and agreed to by the House.

The 6th resolution was again read, and ordered to be recommitted to the same committee.

*Ordered,* That Mr. Lee do carry the 1st, 2d, 3d, 4th and 5th resolutions to the Senate, and desire their concurrence.

Mr. Carrington, from the committee for Religion, presented, according to order, a bill "for dividing the parish of Drysdale, in the counties of Caroline and King and Queen;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Edmondson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of John and Meade Anderson, praying that a certain tract of unappropriated land which they are about to locate, and in which there lies a large quantity of lead ore, may in future be assessed according to the value of the soil, distinct from such lead mine, and that they may be allowed to pay the public one twentieth part of the lead extracted from the ore, in lieu of any tax by assessment on such lead mine, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of Andrew Edwards, praying that the inspection of tobacco at Cave's warehouse may be discontinued, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of Joseph and William Eggleston, of the county of Amelia, praying that the commissioners of the tax for the said county may be empowered and directed to reduce the assessment on their lands from eight pounds to five pounds per acre, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition praying compensation to be made the owners for the tobacco burnt at Wicomico warehouses by the enemy on the 14th day of June last, be rejected.

*Resolved, that it is the opinion of this committee,* That the farther consideration of the petition of divers inhabitants of the county of Fairfax, be deferred to the next session of Assembly.

The 1st, 2d, 3d and 4th resolutions were read a second time, and agreed to by the House.

The 5th resolution was read a second time, and ordered to be recommitted to the same committee.

*Ordered,* That a bill or bills, be brought in pursuant to the first resolution; and that the committee of Propositions and Grievances, do prepare and bring in the same.

*Ordered,* That the committee to whom the bill "to repeal part of an act, entitled 'an act to amend an act, entitled 'an act for reviving several warehouses for the inspection of tobacco,'" was committed, do receive a clause or clauses pursuant to the second resolution.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to proceed by joint ballot with this House on Friday next, to the choice of a member of the Privy Council or Council of State, in the room of Bolling Starke, Esq. who hath resigned. And then he withdrew.

A petition of Sarah Bowie, was presented to the House, and read; setting forth, that the act of Assembly "establishing the present ferry in the town of Port Royal across Rappahanock river," admits foot passengers to be sat over *gratis*; that the ferriage fixed by the county court is so low that the petitioner, who is the present possessor, will be unable to maintain the same; and praying that the said act may be amended, so as to oblige foot passengers to pay ferriage.

Also, a memorial of the military officers in the continental army, citizens of this State, whose names are thereunto subscribed; setting forth, that they conceive the army bear an unequal and disproportioned part of the burthen of taxation, because while rendering personal service they are obliged to contribute equally with those who do not; that many officers in the army sustained loss and inconvenience by their managers or overseers being obliged to perform militia duties; and praying that officers and soldiers in the army may be relieved in such cases.

Also, a petition of the freeholders, merchants and house-keepers, of the town of Petersburg, Blandford and



Pocahontas, whose names are thereunto subscribed; setting forth, that it would be of public benefit to incorporate into one borough the said towns, together with some circumjacent lands; and praying that an act may pass for that purpose.

Also, a petition of sundry inhabitants of the county of Rockbridge, whose names are thereunto subscribed; setting forth, that they have been unjustly taxed under a late law; and praying that the said law may be amended.

*Ordered*, That the said petitions and memorial be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the state of the Commonwealth under their consideration, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth:

*Resolved*, That the Governor, with advice of the Council, be empowered to raise one hundred men, and appoint the proper officers to command them, upon the same terms as to pay, bounty, clothing and time of service, with other soldiers raised for the defence of the frontiers of this State; to be stationed as a garrison on the south east side of the falls of the Ohio, or to be employed in such other manner as the Governor, with the advice aforesaid, shall judge most expedient.

*Ordered*, That Mr. Braxton do carry the said resolution to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House to take into their farther consideration the state of the Commonwealth.

The Speaker laid before the House a letter from the Governor, enclosing a return of the military and naval force of the Commonwealth; and the same was read and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

A petition of Peter Barksdale, was presented to the House, and read; setting forth, that he was ensign in a detachment of militia that marched to the southward last Spring, and on his return was taken sick and incurred considerable expense in his cure, being destitute of public support; and praying to be reimbursed such expense.

Also, a petition of James Dabney; setting forth, that he furnished provision to the family of a soldier in the continental army before he knew of the act limiting such provision to a certain sum, whereby he exceeded the same; and praying to be allowed the difference thereof.

Also, a petition of John Ashlock; setting forth, that being very old and afflicted with an incurable sore leg, he submitted to an amputation thereof in the month of June last; that being deprived of the support afforded him by two sons, one of whom was slain at the battle of Princeton, and the other now in the service, he was unable to pay the charges of the surgeon; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of a negro man named Will, late the property of Mrs. Anne Colvin, of the county of King William, deceased, was presented to the House, and read; setting forth, that for certain meritorious services his said mistress did by her will direct that he should be emancipated; and praying that an act may pass for that purpose.

*Ordered*, That the said petition do lie on the table.

A message from the Senate by Mr. Avery:

**X** *MR. SPEAKER*,—The Senate have agreed to the bill, "for farther continuing an act, entitled 'an act, for giving certain powers to the Governor and Council;'" also to the bill, "for farther continuing an act, entitled 'an act, to enable the Governor and Council to supply the armies and navies of the United States, and of their Allies, with grain and flour;'" and to the bill, "for farther continuing an act, entitled 'an act, to empower the Governor and Council to lay an embargo for a limited time;'" they have also agreed to the resolution for paying a sum of money to Eleanor Hutson, with an amendment, to which they desire the concurrence of this House. And then he withdrew.

A bill, "for the manumission of certain slaves," was read the second time, and ordered to be committed to the committee of Propositions and Grievances, who are directed to receive a clause or clauses, for the manumission of Will, a negro man lately the property of Mrs. Anne Colvin, of the county of King William, deceased.

A bill, "concerning certain claims to waste or unappropriated lands," was read the second time, and ordered to be committed to a committee of the whole House, on Tuesday next.

A bill, "for giving a bounty of lands to the chaplains of regiments or brigades raised by this State, and upon continental establishment," was read the second time, and ordered to be engrossed and read a third time.

A bill, "for establishing a new ferry," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "to amend the act concerning escheats and forfeitures from British subjects," was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

The House proceeded to nominate persons proper to be ballotted for as a member of the Privy Council or Council of State, in the room of Bolling Starke, Esq.

*Ordered*, That Mr. Zane do carry a list of them to the Senate.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to several resolutions thereupon, which he read in his



place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of the justices of the County Court of Charlotte; setting forth, that they had allowed the claims of sundry persons for the support of the widows of soldiers slain in the service, not knowing at the time of their directing the provision to be made, or certifying the said claims to the treasurer, the law establishing a Board of Auditors, which limits the allowance in such cases to 12*l.* only, had been passed; and praying relief, is reasonable; and that the petitioners ought to be allowed the sum of 162*l.* 10*s.* to be by them paid to the respective claimants as followeth, to wit: to James Abernathy, 63*l.*, to Edward Moseley, 47*l.*, and to John White, 52*l.* 10*s.*, for provisions furnished by them for the support of Elizabeth Nichols, Elizabeth Whitlow, and Anne Heaton, whose husbands died in the service of the United States.

*Resolved, that it is the opinion of this committee,* That the petition of Martin Pickett; setting forth, that he hath a claim for a hogshead of molasses against the estate of John Goodrich, the elder, due in consequence of an exchange of flour for rum, sugar and molasses, by them agreed upon before the said Goodrich fled from this country, whose estate is now become escheated to the Commonwealth; and praying his demands may be allowed out of the said estate, is reasonable; and that there ought to be allowed and paid unto the said Martin Pickett, out of the money arising from the sale of the estate of the said John Goodrich, the sum of 473*l.* 17*s.* in lieu of the said hogshead of molasses.

*Ordered,* That Mr. Lee do carry the said resolutions to the Senate, and desire their concurrence.

*Resolved,* That the Board of Trade be empowered, and they are hereby required, to furnish Messrs. Dixon and Nicholson with a sufficient quantity of paper for the purpose of printing the acts of the present session of Assembly, and to debit them therewith.

*Ordered,* That Mr. Tazewell do carry the resolution to the Senate, and desire their concurrence.

*Resolved,* That a committee be appointed to confer with the Hon. Meriwether Smith, Esq. one of the delegates for this Commonwealth in Congress, upon the subject of obtaining a foreign loan, and report thereupon to this House.

And a committee was appointed, of Messrs Braxton, Mason, Page, John Taylor, Randolph and Baker.

Mr. Lee reported, from the committee of Trade, to whom the bill "concerning the Naval office of South Potomac" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, by the House.

*Ordered,* That the bill, with the amendments, be engrossed and read the third time.

The House according to the order of the day, resolved itself into a committee of the whole House, on the bill "to empower the treasurer to receive certain certificates;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered,* That the said report be received to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "concerning Religion" being read,

*Ordered,* That the same be put off till to-morrow.

The order of the day, for the House to receive the report from the committee of the whole House, on the bill "for regulating the importation of salt, and laying an embargo thereon," being read,

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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## FRIDAY, November 5, 1779.

An engrossed bill, "for giving a bounty of lands to the chaplains of regiments or brigades raised by this State and upon continental establishment," was read a third time and amended.

*Resolved,* That the bill do pass, and that the title be, "an act for giving a bounty of lands to the chaplains and surgeons of regiments or brigades raised by this State, and upon continental establishment."

*Ordered,* That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "concerning the Naval office of the district of South Potomac," was read the second time.

*Resolved,* That the bill do pass, and that the title be, "an act, concerning the Naval office of the district of South Potomac."

*Ordered,* That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

*Ordered,* That the names of Beverley Randolph and John Hartwell Cocke, Esquires, be withdrawn from the nomination of persons to be ballotted for as a member of the Privy Council or Council of State, at their request.

*Ordered,* That Mr. Zane do acquaint the Senate therewith.

A bill, "for more effectually securing to the officers and soldiers of the Virginia line, the lands reserved to them," "for discouraging present settlements on the north west side of the Ohio river," and "for punishing persons attempting to

prevent the execution of Land Office warrants," was read the second time, and ordered to be committed to a committee of the whole House, on Monday next.

A bill, "for more effectually providing against invasions and insurrections," was read the second time.

A motion was made, and the question being put that the said bill be read a third time, on the 15th day of March next,

It was resolved in the affirmative.

A bill, "for amending the act appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms," was read the second time, and ordered to be engrossed and read the third time.

A bill, "for dividing the parish of Drysdale, in the counties of Caroline and King and Queen;" was read the second time, and ordered to be engrossed and read the third time.

The Speaker laid before the House, a letter from the Governor, respecting sundry losses sustained by Mr. Martin, the present Indian agent, in the Cherokee country, and the propriety of making him compensation for the same; which was read, and ordered to be referred to the committee of Trade.

The House proceeded to consider the resolution which lay on the table, "for empowering the Governor to grant brevet commissions;" and the same being twice read was amended and agreed to, as followeth:

*Resolved*, That the Governor be empowered, with the advice of the Council, to grant to Capt. Le Mair such brevet commission, as they may think his services have entitled him to.

The House proceeded to consider the amendment of the Senate, to the resolution for paying a sum of money to Eleanor Hutson; and the same being twice read, was agreed to.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

*Ordered*, That Mr. Cocke have leave to be absent from the service of this House, until Tuesday next; and Mr. Micajah Watkins, for the remainder of the session.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "concerning religion;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee, upon the said bill.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the several resolutions, for paying a sum of money to William Dickenson; for paying a sum of money to the justices of Charlotte county court; for empowering the Governor, with advice of Council, to grant a brevet commission to Capt. Le Mair: and for empowering the Governor, with the advice of Council, to raise one hundred men as a garrison on the south east side of the Ohio; they are also willing that Meriwether Smith, Esq. be appointed a member of the Privy Council or Council of State, without the formality of a ballot, having no other person to propose for that office. And then he withdrew.

*Resolved*, That Meriwether Smith, Esq. be appointed a member of the Privy Council or Council of State, in the room of Bolling Starke, Esq. who hath resigned.

*Ordered*, That Mr. Zane do carry the resolution to the Senate, and desire their concurrence. *Am 1. 43.*

Mr. Ball presented, according to order, a bill "to amend an act, entitled 'an act, to increase the salaries of the clerks to the auditors of public accounts;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill, "to empower the justices of Spottsylvania to make sale of their late courthouse;" and that Mr. Page do prepare and bring in the same.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the several resolutions for empowering the Governor, with the advice of the Council, to appoint an assistant clerk to the Board of Council; for paying Harrison Randolph, Esq. for services as a clerk to the Board of War; for empowering the Governor, with the advice of Council, to erect a picket for securing prisoners of war; and respecting the subsistence money to the State troops. And then he withdrew.

Mr. Edmondson, from the committee of Propositions and Grievances, presented according to order, a bill, "concerning a lead mine, the property of John and Meade Anderson;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Edmondson, from the committee of Propositions and Grievances, presented, according to order, a bill, "for giving certain sums of money towards educating three sons of the late Col. John Seayres, deceased;" and the same was received and read the first time.

And the question being put, that the said bill be read a second time,

It passed in the negative.

*Resolved*, That the bill be rejected.

*Ordered*, That Messrs. Munford and Braxton be added to the committee appointed to prepare and bring in a bill, "to amend the act, establishing a Board of Trade."

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for establishing Courts of Assize," being read,

*Ordered*, That the same be put off till Tuesday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "to amend the act, 'concerning escheats and forfeitures from British subjects," being read,

*Ordered*, That the same be put off till Wednesday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and to receive the reports from the committee of the whole House, on the bill "to empower the treasurer to receive certain certificates," and on the bill "for encouraging the importation of salt, and laying an embargo thereon," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, November 6, 1779.

The House being informed that Mr. John Tipton, one of the members for the county of Shenandoah, attended in custody of the serjeant at arms,

*Ordered*, That the said John Tipton be discharged out of custody, paying fees.

The House being informed, that Mr. William Mayo, jun. one of the members for the county of Powhatan; and Mr. Walter Crockett, one of the members for the county of Montgomery, attended in custody of the serjeant at arms, and that there was good cause to excuse their absence when the House was called over on Monday the first instant,

*Ordered*, That the said William Mayo, jun. and Walter Crockett be discharged out of custody, without paying fees.

The Speaker laid before the House, a letter from the Governor, enclosing a return of Maj. Nelson's corps of cavalry; which was read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolution for appointing Meriwether Smith, Esq. a member of the Privy Council or Council of State. And then he withdrew.

An engrossed bill, "for amending an act, entitled 'an act, for appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery, to appoint their own serjeant at arms,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for amending the act, entitled 'an act, for appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms.'"

*Ordered*, That Mr. Taylor do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill, "for marking and opening a road over the Cumberland mountains into the county of Kentucky," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, were agreed to.

*Ordered*, That Mr. Mason do acquaint the Senate therewith.

Mr. Page presented, according to order, a bill "to empower the justices of the county of Spotsylvania to make sale of their late courthouse;" and the same was received and read the first time, and ordered to be read a second time.

Mr. James Taylor presented, according to order, a bill "to encourage the importation of salt;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Lee reported, from the committee of Trade, to whom the petition of Maximilian Calvert was recommitted, that the committee had, according to order, had the same under their farther consideration, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, from the information of John Beckley, who was clerk to the committee of Safety, that some time in or about the month of March, 1776, the petitioner, by letter, offered his vessel to the said committee of Safety, informing them that he understood they were in want of proper vessels for the public service, and that she was peculiarly adapted for the purpose of an armed vessel, leaving it to them to ascertain her value in any manner they thought proper; that in consequence thereof, the committee ordered her to be taken for public service, and appointed Capt. Younghusband to take charge of, and fit her as a cruiser, who thereupon took her from Hampton where she then lay, and conveyed her up James river; that no step was then taken to value or pay for the said vessel; and although Captain Calvert made two several applications by letter, to the committee of Safety for that purpose, it was never done; and he thinks that while he was employed as a clerk to the Council, the like application was made to that Board, and nothing done therein.

It farther appears, from the deposition of Francis Haynes, that he was master of the said vessel while the property of the petitioner; that she was as good a vessel as could be built, and in every respect well fitted for sea; that she



could not be built for less than six pounds per ton; that she was of the dimensions of fifty feet keel, twenty feet beam, and ten feet hold, amounting to about one hundred and five tons, and that she had made only one voyage to sea.

It also appears, from the deposition of Cornelius Calvert, that the said vessel was built of cedar, mulberry, and locust; that such a vessel could not cost less than one thousand pounds at the time she was fitted for sea, and that she had made but one voyage when taken by the committee of Safety.

It farther appears, from the deposition of Thomas Ritson, that the price of good double decked vessels at Norfolk and Hampton, in the year 1775, was from five to five pounds fifteen shillings per ton.

Whereupon, your committee came to the following resolution:

*Resolved, that it is the opinion of this committee,* That the petition of the said Maximilian Calvert is reasonable; and that the petitioner ought to be allowed the sum of 3,000*l.* for the said vessel.

*Ordered,* That Mr. Lee do carry the said resolution to the Senate, and desire their concurrence.

*Ordered,* That a committee be appointed to examine the accounts of the commissioners of the Gun Manufactory at Fredericksburg.

And a committee was appointed, of Messrs. Page, Baker, Munford, Strother, Booth and Newton.

*Ordered,* That Messrs. Rowe and Baker, have leave to be absent from the service of this House until Monday se'night; Mr. Rose, until Tuesday se'night; and Mr. Hull, for the remainder of the session.

Mr. Henry reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration sundry petitions to them referred, and have come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of Edward West, of the county of Stafford, praying that a public ferry may be established from his land across the north branch of Rappahannock river, to the lands of Simon Miller, in the county of Culpeper, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of divers persons, praying that they may be allowed a farther time to build upon and save certain lots of land adjoining the town of Alexandria, purchased by the petitioners from John Alexander, deceased, and that the said lots may be added to and made part of the said town of Alexandria, is reasonable.

*Resolved, that it is the opinion of this committee,* That so much of the petition of the freeholders, merchants, and housekeepers of the towns of Petersburg, Blandford, and Pocahontas, as prays that the said towns may be incorporated into one borough, and that certain lands adjoining may be included in the said borough, and commissioners appointed to lay them out into lots, and fix the boundary of the said corporation, is reasonable.

*Resolved, that it is the opinion of this committee,* That such other part of the said petition, as prays that the said corporation may be allowed to send a delegate to represent them in General Assembly, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the counties of Stafford and Spotsylvania, praying that a public ferry may be established from the land of Gawin Lawson, in the county of Stafford, across Rappahannock river, to the land of Fielding Lewis, in the county of Spotsylvania, is reasonable.

*Resolved, that it is the opinion of this committee,* That the farther consideration of the petitions of divers inhabitants of the counties of Elizabeth City and Warwick, praying to be relieved from the injuries they sustain both in their property and health by the flowing of the water from a mill-dam, the property of the heir of Booth Armistead, deceased, be deferred to the next session of Assembly.

The 1st, 2d, 3d, 5th and 6th resolutions were again read, and agreed to by the House.

The 4th resolution was again read, amended, and agreed to by the House.

*Ordered,* That a bill or bills, be brought in pursuant to the 2d and 3d resolutions, and that the committee of Propositions and Grievances do prepare and bring in the same.

*Ordered,* That the committee to whom the bill "for establishing a new ferry," was committed, do receive a clause or clauses pursuant to the first and fifth resolutions.

An engrossed bill, "for dividing the parish of Drysdale in the counties of King and Queen and Caroline" was read the third time and the blanks therein filled up.

*Resolved,* That the bill do pass, and that the title be, "an act for dividing the parish of Drysdale, in the counties of King and Queen and Caroline."

*Ordered,* That Mr. Carrington do carry the bill to the Senate, and desire their concurrence.

A petition of James Riddell was presented to the House, and read; setting forth, that in the year 1774, he entered into an agreement with Samuel Martin, of Whitehaven, to overlook his estate in Virginia, in consequence of which he proceeded to this State, and took the management thereof, but the same being escheated to the Commonwealth by a late law, he was dispossessed by the attorney in fact of the said Martin; that he has no remedy for such a breach of contract on the part of the said Martin but in the mode which this House may devise; and praying relief.

Also, a petition of John Quarles; setting forth, that he was employed by the court of King William county, to furnish provisions for the wives and children of soldiers in the continental army, and exceeded the sum limited by a late law, before he knew of such a law; that his accounts have been refused by the auditors; and praying relief.

Also, a petition of John Coles to the same effect.

Also, a petition of Alexander Willie; setting forth, that he has acted in the capacity of keeper to the capitol for

some time past, by appointment of the Governor and Council, and is desirous of continuing therein; and praying to be paid for his past services, and continued in the same appointment.

Also, a petition of John Lapsley; setting forth, that he served as a Lieutenant in Col. Morgan's corps in the campaign of 1777, and in an engagement with the enemy received a shot through his left arm, which deprived him of the use thereof; that he continued in the service until May last, when, finding he could render but little service, he resigned; that he observes his case is not included in an act passed the last session, "concerning officers, soldiers, sailors, and marines," nor has he received the six months bounty given to officers and soldiers in the Virginia line by another act; and praying relief.

*Ordered*, That the said petitions be referred to the Committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The Speaker laid before the House a letter from the Governor, enclosing one from the President of Congress with a resolution of that body recommending a day of prayer and thanksgiving; and the same was read and ordered to lie on the table.

*Resolved*, That the Governor be desired to issue a proclamation, appointing a day for prayer and thanksgiving agreeable to the recommendation of Congress, dated the 20th of October, 1779.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

Mr. Goode presented, according to order, a bill "for the dissolution of vestries;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Ball reported, from the committee to whom the petition of Mungo Harvey and John Dean was referred, that the committee had according to order, had the same under their consideration, and have come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the said Mungo Harvey and John Dean, praying that the treasurer may be authorised and empowered to refund to them a certain sum of money together with the interest accruing thereon, which the petitioners are desirous of paying into the treasury on account of a debt due from them to Messrs. Alexander and Daniel Campbell, merchants in Glasgow, in case the said debt shall have been paid to the said Campbells in consequence of their directions given for that purpose, be rejected for want of proof.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the state of the Commonwealth under their consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, That the Governor be requested to refuse the offer made him of the frigate by Colonel Knoblauch, she being improperly built for a ship of war, and too large, and will sail at too great an expense for a merchantman.

*Resolved*, That the Governor and Council be desired to appoint some proper person to state and settle the accounts of this State with the Continent, upon such terms as they shall judge reasonable.

*Ordered*, That Mr. Page do carry the resolutions to the Senate, and desire their concurrence.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, to take into their farther consideration the state of the Commonwealth.

A bill, "to amend the act, entitled 'an act to increase the salaries of the clerks to the auditors of public accounts,'" was read the second time, and ordered to be committed to Messrs. Page, Ball, and Lomax.

A bill, "to encourage the importation of salt," was read the second time, and ordered to be committed to a committee of the whole House on Monday next.

Mr. Page, according to the order of the day, reported from the committee of the whole House, the amendment made to the bill, "to empower the treasurer to receive certain certificates;" and he read the same in his place, and afterwards delivered it in at the clerk's table, where the same was again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

The orders of the day, for the House to resolve itself in a committee of the whole House, on the bill "concerning religion," and to receive the report from the committee of the whole House, on the bill "for regulating the importation of salt, and laying an embargo thereon," being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

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#### MONDAY, November 8, 1779.

An engrossed bill, "to empower the treasurer to receive certain certificates," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to empower the treasurer to receive certain certificates."

*Ordered*, That Mr. Page do carry the bill to the Senate, and desire their concurrence.



A bill, "concerning a lead mine," the property of John and Mede Anderson, was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "to empower the justices of the county of Spottsylvania to make sale of their late courthouse," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "for the dissolution of vestries," was read the second time, and ordered to be committed to a committee of the whole House on Thursday next.

Mr. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the parish and county of Fairfax, praying a dissolution of the vestry of the said parish, is reasonable.

*Resolved, that it is the opinion of this committee,* That the memorial of the Baptist association, praying that an act may pass declaring marriages solemnized by dissenting ministers lawful, and that the right of officiating in marriage solemnities may be expressly vested in the ministers of the several denominations, is reasonable.

*Ordered,* That the first resolution do lie on the table.

*Ordered,* That a bill or bills, be brought in pursuant to the second resolution, and that the committee for Religion do prepare and bring in the same.

Mr. Page, according to the order of the day, reported from the committee of the whole House, the amendments made to the bill "for regulating the importation of salt, and laying an embargo thereon;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where they were again twice read, and agreed to by the House.

*Ordered,* That the bill, with the amendments, be engrossed and read the third time.

The House being informed that Mr. James Innes, one of the members for the county of Yohogania, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Monday last,

*Ordered,* That the said James Innes be discharged out of custody, without paying fees.

A memorial of the commissioners appointed for settling and adjusting the titles of claimers to unpatented lands in the counties of Yohogania, Monongalia, and Ohio, was presented to the House and read, setting forth, that great difficulties have arisen in the execution of the law under which they act, particularly on the subject of pre-emption rights, and praying that the said law may be explained by this House.

*Ordered,* That the said memorial be referred to the committee of the whole House, to whom the bill "concerning claims to certain waste or unappropriated lands," is committed.

A petition of sundry inhabitants of the county of Bedford, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that when their property was assessed, they refused from conscientious motives to take an oath as to the amount thereof in the manner required by law, but offered to affirm thereto, which was denied them; that in consequence thereof they were returned by the assessors, and fined by the court 100*l.* each, with costs; and praying relief.

*Ordered,* That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to suppress excessive gaming;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Munford reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered,* That the said report be received to-morrow.

*Ordered,* That Mr. Page have leave to be absent from the service of this House for the remainder of the session.

Two members, returned upon new writs, having taken the oaths required by law, took their seats in the House.

The Speaker laid before the House, a letter from the Governor, enclosing an extract of a letter from Col. Shepherd, respecting intrusions on the Indian lands upon the Ohio, and also a memorial and proposition thereupon, made to the executive by Capt. Alexander Dick; which were read, and ordered to be referred to the committee of the whole House on the state of the commonwealth.

The Speaker laid before the House, a letter, enclosing a memorial from the directors of the public buildings at Richmond, stating the progress made in that business, and the propriety of ascertaining the place of erecting the Capitol and other public edifices; which were read, and ordered to lie on the table.

*Ordered,* That the committee of the whole House be discharged from proceeding on the bill "concerning claims to certain waste or unappropriated lands," and the memorial of the commissioners for settling and adjusting the titles of claimers to unpatented lands in the counties of Yohogania, Monongalia, and Ohio, therewith referred; and that the said bill, together with the memorial, be referred to Messrs. John Taylor, Mason, Innes, Henry, Zane, and Zachariah Johnson.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the



amendment of the law in cases of tender and refusal of money, and of secret assignments of bonds or other writings," being read,

*Ordered*, That the same be put off till Monday next.

The orders of the day, for the House to receive the report from the committee of the whole House, on the bill "concerning religion;" and to resolve itself into a committee of the whole House on the state of the Commonwealth; and also upon the bills "for more effectually securing to the officers and soldiers of the Virginia line, the lands reserved to them;" "for discouraging present settlements on the north west side of the Ohio river," and "for punishing persons attempting to prevent the execution of land office warrants;" "concerning religion;" and "to encourage the importation of salt," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, November 9, 1779.

An engrossed bill, "for regulating the importation of salt, and laying an embargo thereon," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, for laying an embargo on salt, and for other purposes."

*Ordered*, That Mr. Page do carry the bill to the Senate, and desire their concurrence.

A memorial of John Ballendine and John Reeveley, was presented to the House, and read; setting forth, that they are apprehensive certain claims, legal and equitable, which they have with the public may be effected by a representation thereof, which they are informed hath been lately made by the Governor and Council, and praying that an inquiry may be made into the subject of those claims.

Also, the petitions of sundry inhabitants of the county of Spotsylvania, whose names are thereunto subscribed, in opposition to a petition of other inhabitants of the county, praying a division thereof, or that the act for removing their courthouse, may be repealed.

Also, a petition of William Roscow Wilson Curle, Esq.; setting forth, that a petition lately presented to this House, respecting a grievance complained of by sundry inhabitants of the county of Elizabeth, was deferred to the consideration of the next session of Assembly, from an unfair suggestion of the parties opposed thereto; and praying that the said petition may be heard during the present session.

Also, a petition of several of the justices of Fluvanna county; setting forth, that an indictment was preferred against them, by order of the Assembly, on a charge of having disposed of their county clerkship for a pecuniary consideration, of which they have been honorably acquitted; that no prosecutor having been appointed for the Commonwealth, the costs of their defence are not recoverable by the petitioners, and praying that such costs may be repaid them by the public.

Also, a petition of sundry inhabitants of the county of James City, whose names are thereunto subscribed; setting forth, that the expense of keeping in repair the causey at Sandy Bay, in the same county, is very burthensome to the petitioners, because of the frequent high tides and freshes which render it impassable; and praying that the ferry at Jamestown may be removed to the land of Mrs. Ambler, on the main land above the said bay.

Also, a petition of sundry inhabitants of the county of Bedford, whose names are thereunto subscribed; setting forth, that the present situation and extent of their county is inconvenient to the inhabitants thereof; and praying that a part of the said county may be added to a part of Henry county, and formed into a new county.

Also, a petition of sundry inhabitants of the county of Rockingham; setting forth, that the act of Assembly, "for laying a tax payable in certain enumerated commodities," is unequal and oppressive to the poor; and praying that the said act may be repealed or suspended.

Also, the petitions of sundry inhabitants of the county of Bedford, whose names are thereunto subscribed; setting forth, that the great extent of their county is very inconvenient to the inhabitants thereof; and praying that the said county may be divided into two distinct counties.

*Ordered*, That the said memorial and petitions, be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That a committee of seven members be chosen by ballot, to consider of ways and means for raising money, to comply with the requisitions of the American Congress, and to defray the expenses of the current year; that they have power of calling for papers or other information from the public boards; and that they report thereupon, to the House.

*Resolved*, That this House will, to-morrow, proceed by ballot, to the choice of the said members.

Gen. Nelson, from the committee of Propositions and Grievances, presented, according to order, a bill "to confirm certain sales and leases made by the trustees of the town of Alexandria, and to enlarge the said town;" and the same was received and read the first time, and ordered to be read a second time.

Gen. Nelson reported, from the committee of Propositions and Grievances, to whom the bill "for the manumission of certain slaves," was committed, that the committee had, according to order, had the said bill under their con-

sideration, had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and disagreed to by the House.

*Ordered*, That the bill be engrossed, and read the third time.

Gen. Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, several petitions, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Sarah Bowie, widow of James Bowie, deceased, praying that so much of an act of Assembly, as compels her to set foot passengers over the public ferry, at Port Royal, without demanding or receiving any ferrage for the same, may be repealed, is reasonable.

*Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of John Mayo, praying that a public ferry may be established from his land in the county of Chesterfield, across James river to the Sandy Bar, opposite thereto, be deferred to the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Rockbridge, praying to be relieved from assessments made on the property, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Bedford, praying to be relieved from judgments obtained against each of them in the court of the said county, for the sum of 100*l.*, being the penalty on persons refusing to give an account of their table property upon oath, be rejected.

*Ordered*, That the committee of Propositions and Grievances, to whom the bill "for establishing a ferry across the Kentucky river," was committed, do receive a clause or clauses, pursuant to the first resolution.

Mr. Lee reported, from the committee of Trade, to whom the letter from the Governor, respecting compensation to be made Major Martin, agent for this State, in the Cherokee country, for sundry losses he has sustained in his property, was referred, that the committee had, according to order, had the same under their consideration, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, amended, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the Governor and Council be empowered to make the said Major Martin, such compensation for his services and losses, as they may think just; no proof being offered to the committee to ascertain the same.

Mr. Page reported, from the committee to whom the bill "to amend the act, entitled 'an act to increase the salaries of the clerks to the auditors of public accounts,'" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and disagreed to by the House.

*Ordered*, That the bill be engrossed and read the third time.

A message from the Senate by Mr. Coles:

4 MR. SPEAKER,—The Senate have agreed to the resolution of this House for paying a sum of money to Martha Pickett. And then he withdrew.

A petition of the Rev. William Bland, was presented to the House, and read; setting forth, that the present salary allowed him as ordinary of Newgate is very insufficient; and praying that the same may be augmented.

Also, a petition of Benjamin Johnson; setting forth, that by an order of King George county court, he furnished provisions to the wife of a soldier in the continental army; his accounts for which have been refused by the auditors, except to the amount of twelve pounds ten shillings, part thereof; and praying to be paid the balance of the said accounts.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A motion was made that the House do come to the following resolution:

*Resolved*, That the sheriffs of this Commonwealth may, and they are hereby directed, to receive any inspected crop tobacco, in payment for the public taxes, at the rate of twenty pounds per hundred; and that such tobacco shall be received by the treasurer at the same rate, in discharge of the said taxes.

*Ordered*, That the said resolution do lie on the table.

A message from the Senate by Mr. Lee:

4 MR. SPEAKER,—The Senate have agreed to the resolutions for paying a sum of money to Thomas Trent. For empowering the Governor and Council to appoint a day of prayer and thanksgiving, agreeable to the recommendation of Congress. For refusing the offer of a frigate made by Col. Knoblauch. For appointing a proper person to settle the accounts of the Commonwealth with the continent. And for paying a sum of money to Maximilian Calvert. They have also agreed to the resolution for paying a sum of money to Hugh Wallis, with an amendment, to which they desire the concurrence of this House. And then he withdrew.

*Ordered*, That leave be given to bring in a bill "for regulating and collecting certain officers fees, and for other purposes;" and that Messrs. Mason, Tazewell, Munford, Tyler, John Taylor, and Braxton, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "concerning tobacco fees;" and that Messrs. Mason, Tazewell, Munford, Tyler, John Taylor, and Braxton, do prepare and bring in the same.

Mr. Henry presented, according to order, a bill "to amend the act for the annual appointment of delegates to Congress;" and the same was received and read the first time, and ordered to be read the second time.

*Ordered*, That leave be given to bring in a bill "to repeal the act to restrict the delegates of this Commonwealth in Congress from engaging in any trade, either foreign or domestic;" and that General Nelson do prepare and bring in the same.

*Ordered*, That Mr. James Taylor have leave to be absent from the service of this House until Friday se'nnight. Mr. Munford, according to the order of the day, reported the amendments made by the committee of the whole House, to the bill "to suppress excessive gaming;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate have agreed to the bill "concerning the naval office of South Potomac;" they have also agreed to the bill "to amend the act for regulating ordinaries and restraint of tipping houses," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Stevens:

MR. SPEAKER,—The Senate have agreed to the bill "for giving a bounty of lands to the chaplains and surgeons of regiments or brigades raised by this State, and upon continental establishment," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

Mr. Lee reported, from the committee of Trade, to whom the bill "to revive an act, entitled 'an act to amend an act for preventing forestalling, regrating, engrossing and public vendues,'" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered*, That the said bill, with the amendments, be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to encourage the importation of salt;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

*Ordered*, That Messrs. Pickett and Washington be added to the committee appointed to examine the accounts of the commissioners of the Gun Manufactory at Fredericksburg.

*Ordered*, That leave be given to bring in a bill "to authorise tobacco payments in discharge of the public taxes;" and that General Nelson do prepare and bring in the same.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for establishing Courts of Assize;" being read,

*Ordered*, That the same be put off till Thursday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for more effectually securing to the officers and soldiers of the Virginia line the lands reserved to them, for discouraging present settlements on the north west side of the Ohio river, and for punishing persons attempting to prevent the execution of land office warrants;" being read,

*Ordered*, That the same be put off till Friday next.

The orders of the day, for the House to receive the report from the committee of the whole House, on the bill "concerning non-jurors," and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and on the bill "concerning religion," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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### WEDNESDAY, November 10, 1779.

A petition of George Boyd was presented to the House, and read; setting forth, that upon application of Capt. Elias Edmonds, of the State artillery regiment, he prescribed to, provided and administered medicine for ten soldiers of the said Edmonds' company; his accounts for which have been refused by the auditors; and praying to be paid his said accounts.

Also, a petition of George Gilbert; setting forth, that in the year 1774, he contracted to build a prison in the county of Amherst, and was retarded in completing the same by his apprentices and himself entering into the service, until the money was so far depreciated, that the consideration which he bargained to receive for the said work became very inadequate to his labor and expenses; and praying relief.



Also, a petition of Barnett Jeffreys; setting forth, that upon the late invasion he entered as a volunteer in the light horse under Gen. Nelson, and after having equipped himself, at his own expense, the horse that he furnished for that purpose died in the service; and praying to be paid for the said horse.

Also, a petition of Nicholas Davies; setting forth, that he is desirous of disposing of part of his estate to charitable uses; and praying the assistance of the Legislature in establishing a free school, hospital, and church, for the purposes of charity.

Also, a petition of Charles Belena; setting forth, that his present salary as clerk of foreign correspondence is very insufficient; and praying that the same may be augmented.

Also, a petition of Larkin Chew; setting forth, that he acted as a lieutenant on the frontiers during the last war, and received a wound in the service, for which a former Assembly allowed him forty pounds per annum; that the said allowance is at this time very inadequate to his support; and praying that it may be increased.

Also, a petition of Theodorick Carter, Alexander Guthry, William Hendrick and David Findley; setting forth, that they were impressed as a guard by the sheriff of Cumberland to convey a prisoner to the public jail; that the allowance made them by the auditors is inadequate to their expenses and trouble; and praying a farther allowance.

Also, a petition of John Mahon; setting forth, that he served as a soldier in Col. Grayson's regiment until discharged as unfit for service, by occasion of the rheumatism; that he has a wife and child, which he is unable to maintain for the same cause; and praying relief.

Also, a petition of Jesse Witt; setting forth, that he was a draughted soldier from the county of Bedford, and served until he was discharged as unfit for service, by reason of sickness; that he lost the use of his left arm in the same sickness, and is rendered incapable of getting a livelihood; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Amherst, whose names are thereunto subscribed, was presented to the House, and read; taking notice of the petitions presented to this House, for an alteration of the division line between the parishes of Amherst and Lexington, in the said county; and praying that such alteration may not take place.

Also, a petition of sundry inhabitants of the counties of Hanover and Henrico, whose names are thereunto subscribed; setting forth, that the boundaries of their lands, as well as the division line between the two counties, are almost obliterated by the overflowing of Chickahominy swamp; and praying that a new division line may be run between the said counties.

Also, a petition of Ebenezer M'Harg; setting forth, that he has been an inhabitant of this State upwards of twenty years, but by reason of some connexions in trade with persons in Great Britain, he is found to come within the meaning of the resolution of General Assembly for enforcing the statute staple; that he has uniformly manifested a friendly disposition towards this country, and conducted himself as a citizen thereof; and praying relief.

Also, a petition of John Fisher, to the same effect.

Also, a memorial of Bernard Gratz, Joseph Simmons, Edmund Mills and Michael Gratz; setting forth, that they have claims in certain unappropriated back lands by purchase from George Croghan, whose right is founded in a purchase from the chiefs of the Six Nations; and praying that the said claims may be confirmed.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Wetherall have leave to be absent from the service of this House until to-morrow fortnight.

A petition of John Raine was presented to the House, and read; setting forth, that by order of Cumberland county court, he conveyed a criminal from the said county to the public jail; that his expenses in support of the criminal exceeds the sum limited by law; and praying to be reimbursed his extra expenses therein.

Also, a petition of John May; setting forth, that there is no allowance by law for his public services as clerk to the General Court; that his other fees are insufficient, and the mode of collecting them uncertain; and praying to be relieved in the premises.

*Ordered*, That the said petitions be referred to the committee appointed to prepare and bring in a bill, "for regulating and collecting certain officers fees, and other purposes."

A petition of sundry inhabitants of the county of Amherst, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they are of opinion, that a religious establishment and general assessment will be of public benefit; and praying that a law may pass to that effect.

*Ordered*, That the said petition be referred to the committee of the whole House, on the bill "concerning religion."

A petition of sundry inhabitants of the county of Amherst, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that a number of their militia have enlisted into the regiment of guards, and that the call upon them to furnish an equal proportion of men for the continental service is grievous and oppressive; and praying relief.

*Ordered*, That the said petition be referred to the committee of the whole House on the state of the Commonwealth.

A petition of the inspectors of tobacco at Rocky Ridge and Cary's warehouses, in the county of Chesterfield, was presented to the House, and read; setting forth, that a late law, for discontinuing the salaries of inspectors, and

substituting a tax on tobacco passed or refused, in lieu thereof, is unequal and injurious to the petitioners; and praying relief.

*Ordered*, That the said petition, be referred to the committee of Propositions and Grievances, to whom the bill, "to repeal part of an act, entitled 'an act, to amend an act for reviving several public warehouses, for the inspection of tobacco,'" was committed.

A petition of Francis Meriwether, was presented to the House, and read; setting forth, that in the year 1773, he purchased of Cochran, Cunningham & Co., merchants in Glasgow, a tract of land in the county of Spottsylvania, the consideration money for which was to be paid in three years thereafter; that the factor and agent of the said Cochran, Cunningham & Co., being obliged to depart this State under a late law; there is no person to whom he can pay the said money, or to make a confirmation of his title to the said land; and praying relief.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

A petition of Gilbert Campbell, was presented to the House, and read; setting forth, that he acted as comptroller of his Britannic Majesty's customs for the port of South Potowmac, when this State became independent; that a balance of 62l. 4s. 5d. sterling, remains due to him for his salary in that office, which sum is in the hands of the deputy collector; and praying that the same may be paid to him in specie.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petition of David Ross, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth:

*Resolved, unanimously, that it is the opinion of this committee*, That the said David Ross has uniformly manifested his attachment to the American cause; that he hath, since the determination of the Governor and Council in his favor, drawn large sums of money out of Great Britain, and realized them here; that he is now engaged in undertakings very useful to the public, and that, to remove all doubt concerning him, he ought to be declared a citizen of this Commonwealth.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

Mr. Carrington reported, from the committee to whom the bill, "for farther continuing an act, entitled 'an act to empower the Governor and Council to superintend and regulate the public jail,'" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The House proceeded to consider the amendments of the Senate, to the bill "to amend the act, 'for regulating ordinaries and restraint of tipping houses,'" and the same were read, and agreed to.

*Ordered*, That Mr. Carrington do acquaint the Senate therewith.

The House proceeded to consider the amendments of the Senate, to the bill "for giving a bounty of lands to the chaplains and surgeons of regiments or brigades raised by this State and upon continental establishment;" and the same were read and agreed to.

*Ordered*, That General Nelson do acquaint the Senate therewith.

The House proceeded to consider the amendment of the Senate, to the resolution for paying a sum of money to Hugh Wallis; and the same was read and agreed to.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

An engrossed bill, "to suppress excessive gaming," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act to suppress excessive gaming."

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Matthews:

MR. SPEAKER,—The Senate have agreed to the resolution for empowering the Governor and Council to compensate Major Martin for his services as Indian agent, and for certain losses. And then he withdrew.

An engrossed bill, "for the manumission of certain slaves," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for the manumission of certain slaves."

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to revive an act, entitled 'an act, to amend an act, for preventing forestalling, regrating, engrossing, and public vendues,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, to revive an act, entitled 'an act, to amend an act, 'for preventing forestalling, regrating, engrossing and public vendues.'"

*Ordered*, That Mr. Lee do carry the bill to the Senate, and desire their concurrence.

*Resolved*, That it be an instruction to the delegates representing this Commonwealth in General Congress, to recommend to Congress, that they would be pleased to make suitable provision for the widow and children of the late Lieutenant Colonel John Seayres, who fell in the battle of Germantown, nobly contending for the liberties of America, leaving his widow and three small children in distressed circumstances.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

The House proceeded, according to the order of the day, by ballot, to the choice of seven members as a committee of Ways and Means; and the members having prepared tickets for the persons to be appointed, and put the same into the ballot glasses, Messrs. Garland Anderson, Talbot, Newton, Thorowgood and Cabell, were nominated a committee, to examine the ballot glasses, and report to the House on whom the majority of votes should fall.

The committee withdrew; and after some time returned into the House, and reported, that they had, according to order, examined the ballot glasses, and found a majority of votes to fall on Messrs. Mason, Henry, General Nelson, Munford, Braxton, John Taylor and Zachariah Johnson.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, on the bills, to amend the act, "concerning escheats and forfeitures from British subjects;" "concerning religion;" and to receive the reports from the committee of the whole House, on the bill, "concerning non-jurors;" and "to encourage the importation of salt," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, November 11, 1779.

An engrossed bill, "for farther continuing an act, entitled 'an act, to empower the Governor and Council to superintend and regulate the public jail,'" was read the third time, and a blank therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, to empower the judges of the General Court to superintend and regulate the public jail."

*Ordered*, That Mr. Lee do carry the bill to the Senate, and desire their concurrence.

General Nelson presented, according to order, a bill, "to empower the sheriffs to receive tobacco in payment of the public taxes;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "to amend the act, for the annual appointment of delegates to Congress," was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

A bill, "to confirm certain sales and leases made by the trustees of the town of Alexandria, and to enlarge the said town," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

*Ordered*, That the committee of the whole House, to whom the letter from the Governor with a memorial and proposition from Major Dick was referred, be discharged from proceeding therein; and that the said letter, memorial, and proposition, be referred to the committee of Propositions and Grievances.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration several petitions to them referred, and have come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of John Coles, praying to be allowed for necessities furnished by him, agreeable to an order of Albemarle county court, for the support of Mary Simmons, whose husband was a soldier in the continental service, and died before application was made for payment, from which circumstance the auditors thought themselves not empowered by law to allow more than twelve pounds, is reasonable; and that the petitioner ought to be allowed the amount of his account, being 157l.

*Resolved*, that it is the opinion of this committee, That the petition of Peter Barksdale, an ensign, who marched with a detachment of militia from Halifax county, to the southward, last Spring, and on his return, was taken sick, and lay ill three weeks at a tavern: the expense whereof, together with that which he incurred in travelling home, amount to ninety pounds, is reasonable; and that the petitioner ought to be reimbursed the said sum of 90l.

*Resolved*, that it is the opinion of this committee, That the petition of Robert Birchitt and Lessenby Williams, inspectors at Blandford Warehouse, praying to be allowed for tobacco stolen thereout, be rejected, for want of proof.

*Resolved*, that it is the opinion of this committee, That the petition of George Holland, praying to be allowed for his trouble in endeavoring to cure Elizabeth Fisher, the wife of a continental soldier, who was afflicted with ulcers on her leg, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of John Ashlock, praying to be allowed the doctor's charge for amputating his leg, and effecting the cure, he being very old and deprived of the support afforded him by two sons, one of whom was slain at Princeton, and the other is now in the service, be rejected.

*Resolved*, that it is the opinion of this committee, That so much of the petition of Lieutenant John Lapsley, of the fifth Virginia regiment, who was wounded in the left arm in an engagement with the enemy, and by that means rendered unfit for service, and obtained a discharge, as prays to be allowed the bounty of six months pay, be rejected.

*Resolved*, that it is the opinion of this committee, That such other part of the said petition as prays relief, is rea-



sonable; and that the petitioner ought to be allowed half pay as a lieutenant during life, to commence from the seventh day of May last, being the date of his discharge.

*Ordered*, That Mr. Lee do carry the 1st, 2d and 7th resolutions to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "to incorporate the town of Winchester;" and that Messrs. Zane, Henry, Hunter and Booth, do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "concerning religion;" and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and made a farther progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, again to-morrow, resolve itself into a committee of the whole House, on the said bill.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the dissolution of vestries," being read,

*Ordered*, That the same be put off till Monday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "to amend the act, concerning escheats and forfeitures from British subjects," being read,

*Ordered*, That the same be put off till Saturday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and upon the bill, "for establishing Courts of Assize;" also, to receive the reports from the committee of the whole House, on the bills "concerning non-jurors;" and "to encourage the importation of salt;" being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, November 12, 1779.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate have agreed to the bill, "for empowering the treasurer to receive certain certificates," with an amendment; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment; and the same being read, was agreed to.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

*Resolved*, That the Board of Trade be directed to inquire into and report to the House the state of the public salt works.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate have agreed to the resolution, respecting the widow and children of the late Lieutenant Col. John Seayres, and to the resolution declaring David Ross a citizen of the Commonwealth. They have also agreed to the bill "for dividing the parish of Drysdale, in the counties of Caroline and King and Queen." And then he withdrew.

An engrossed bill, "to amend the act, to increase the salaries of the clerks to the auditors of public accounts," was read a third time, and a blank therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, to amend an act, 'to increase the salaries of the clerks to the auditors of public accounts.'"

*Ordered*, That Mr. Lee do carry the bill to the Senate, and desire their concurrence.

A bill "to empower the sheriffs to receive tobacco in payment of public taxes," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

Gen. Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, a memorial and petition to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That so much of the memorial of the inhabitants of the town of Alexandria, as prays that the said town may be incorporated, is reasonable.

*Resolved*, that it is the opinion of this committee, That such other parts of the said memorial, as prays, that the Mayor and Recorder for the time being, may be justices of the peace for the county of Fairfax; that the bounds of the said town may be extended; and that the Court of Common Council may have power to hear and determine all personal actions arising within the said town, under the sum of ten pounds, without the solemnity of a jury, be rejected.

*Resolved*, that it is the opinion of this committee, That so much of the petition of William Roscow Wilson Curle, as prays that the petitions from the counties of Elizabeth City and Warwick, which have been this session deferred to the next session of Assembly, may be taken up and considered this present session; be rejected.

*Resolved*, that it is the opinion of this committee, That such other part of the said petition, as prays that the witnesses who attended on Monday the 8th instant, being the day appointed for hearing the said petitions, may be paid

for their attendance by Mrs. Arnistead, at whose instance the consideration of the said petitions was deferred, be rejected.

*Ordered*, That a bill or bills, be brought in pursuant to the first resolution; and that the committee of Propositions and Grievances do prepare and bring in the same.

A message from the Senate by Mr. Stevens:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to John Lapsley. And then he withdrew.

Gen. Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, a memorial and petition to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the memorial of Charles Lynch, praying that his contract to repay the public in powder, at 6s. per pound, for such sums of money as were advanced him, as well as what might be due for the hire of negroes, might cease; and that he may be allowed to pay the balance of the money due the public, with interest, into the treasury, is reasonable.

*Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of divers inhabitants of the county of Bedford, praying a division thereof, be deferred to the next session of Assembly.

The first resolution was read a second time, and ordered to be recommitted to the same committee.

The second resolution was again read, and agreed to by the House.

Mr. Munford reported, from the committee to whom the accounts of the commissioners of the Gun Manufactory were referred, that the committee had, according to order, examined the same, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, that there has been disbursed on account of the factory, the sum of 15,000*l.*, by the public; and the farther sum of 4,113*l.* 13*s.* 5*d.* half-penny by Fielding Lewis, Esq. one of the commissioners, amounting in the whole to 19,113*l.* 13*s.* 5*d.* half-penny.

That out of the said sum of 19,113*l.* 13*s.* 5*d.* half-penny, the sum of 8,869*l.* 2*s.* 10*d.* has been appropriated and applied by Charles Dick, Esq. one of the commissioners, for workmen's wages and other services; from whence it appears, that since the last settlement, including the materials on hand, the said factory is in credit for the sum of 56,957*l.*, from which deducting the disbursements as aforesaid, amounting to 19,113*l.* 13*s.* 5*d.* half-penny, and a credit for muskets on hand at the last settlement, amounting to 20,920*l.*, a balance of profit from the said factory is now in favor of the public of 16,923*l.* 6*s.* 6*d.* half-penny.

Your committee find that the amount of the credits and disbursements are fairly and justly stated; that the sum of 4,113*l.* 13*s.* 5 1-2*d.* is due to Fielding Lewis, Esq. being disbursed by him for the use of the public, and that there is a balance of 242*l.* 2*s.* 1*d.* due from Charles Dick, Esq. to the public.

Whereupon, your committee came to the following resolutions:

*Resolved*, That the sum of 242*l.* 2*s.* 1*d.* due from Charles Dick, Esq. be by him applied to the farther use of the factory.

*Resolved*, That the treasurer be directed to pay to Fielding Lewis, Esq. the sum of 4,113*l.* 13*s.* 5 1-2*d.* disbursed by him for the use of the Gun Manufactory.

*Ordered*, That Mr. Munford do carry the resolutions to the Senate, and desire their concurrence.

*Resolved*, That a committee be appointed, to settle with the executors of the late printer, Mr. Purdie, deceased, for paper purchased, and money advanced for the use of the public.

And a committee was appointed, of Messrs. Pride, Garland Anderson, and Talbot.

General Nelson reported, from the committee of Propositions and Grievances, to whom the bill, "concerning a lead mine, the property of John and Mead Anderson," was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

A member returned upon a new writ, having taken the oaths required by law, took his seat in the House.

The House, according to the order of the day, resolved into a committee of the whole House, on the bill, "to amend the act, for the annual appointment of delegates to Congress;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report, when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and on the bills, "for more effectually securing to the officers and soldiers of the Virginia line, the lands reserved to them;" "for discouraging present settlements on the north west side of the Ohio river;" and "for punishing persons attempting to prevent the execution of land office warrants;" "for establishing Courts of Assize;"

and to receive the reports from the committee of the whole House, on the bills "concerning non-jurors:" and "to encourage the importation of salt," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "concerning religion," being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, November 13, 1779.

*Ordered*, That Messrs. Braxton and Ball, have leave to be absent from the service of this House until Tuesday next.

The Speaker laid before the House, a letter from the delegates representing this Commonwealth in Congress, enclosing some proceedings of that body on the subject of certain claims by the Indiana and Vandalia Companies to unappropriated lands within the territory of this Commonwealth.

And the said letter and proceedings being read, were ordered to be referred to the committee of the whole House on the state of the Commonwealth.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Benjamin Johnson, praying to be allowed the balance of his account, after deducting twelve pounds ten shillings, which was allowed by the auditors, for necessities furnished by order of King George county court, for the use of Sarah Berryman, widow of Benjamin Berryman, a soldier, who died in the continental service, the said court not knowing the law limiting the allowance in such cases had been passed, is reasonable; and that the petitioner ought to be allowed the said balance, being 11l. 16s. 8d.

*Resolved*, that it is the opinion of this committee, That the petition of Larkin Chew, a lieutenant, who in consideration of a wound which he received in defence of his country hath been formerly allowed an annuity of forty pounds, which allowance at this time, is very inadequate to his support; praying farther relief, is reasonable; and that the petitioner ought to be allowed the farther sum of one hundred pounds for his present relief.

*Resolved*, that it is the opinion of this committee, That the petition of John Clarke, praying to be allowed the doctor's charge for attendance and medicines furnished his son Benajah Clarke, a soldier of Capt. Rice's company, who being taken sick at the barracks in Albemarle county, was removed home, and a few weeks after died, is reasonable; and that the petitioner ought to be allowed the sum of 58l. 6s. being the amount of the said doctor's account.

*Resolved*, that it is the opinion of this committee, That the petition of the Rev. William Bland, praying to be allowed for his services as ordinary of Newgate, is reasonable; and that the petitioner ought to be allowed the sum of two hundred pounds for the same for a year, ending the first day of October last.

*Ordered*, That Mr. Lee do carry the resolutions to the Senate, and desire their concurrence.

*Resolved*, That the sum of eight hundred pounds each, be allowed to Charles Dick and Fielding Lewis, Esquires, acting commissioners of the Gun Manufactory at Fredericksburg.

*Ordered*, That Mr. Munford do carry the resolution to the Senate, and desire their concurrence.

An engrossed bill, "concerning a lead mine, the property of John and Meade Anderson," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act concerning a lead mine, the property of John and Meade Anderson."

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Munford reported, that the committee had, according to order, had the state of the Commonwealth under their farther consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, *nemine contra dicente*, That a remonstrance be drawn up to the Hon. the American Congress, firmly asserting the rights of this Commonwealth to its own territory, complaining of their having received petitions from certain persons, styling themselves the Indiana and Vandalia companies, upon claims which not only interfere with the laws and internal policy, but tend to subvert the government of this Commonwealth, and introduce general confusion; and expressly excepting and protesting against the jurisdiction of Congress therein, as unwarranted by the fundamental principles of the confederation.

*Resolved*, *nemine contra dicente*, That the Governor, with the advice of the Council, be empowered and required to use the most effectual means for apprehending and securing any person or persons within this Commonwealth, who shall attempt to subvert the government thereof, or set up any separate government within the same, that such person or persons may be brought to trial, according to due course of law.



*Resolved*, That his excellency the Governor, for the time being, shall, if he thinks fit, have the liberty of exporting annually in the State vessels, twenty hogsheads of tobacco, and of importing their proceeds in necessities for the use of his family, freight free; but not more than four hogsheads shall be exported at a time in one vessel.

*Ordered*, That Messrs. Munford, Mason and Henry, do prepare a remonstrance agreeable to the first resolution.

*Ordered*, That Mr. Munford do carry the 2d and 3d resolutions to the Senate, and desire their concurrence.

*Resolved*, That this House will, on Monday next, resolve itself into a committee of the whole House, on the state of the Commonwealth.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills "to amend the act, 'concerning escheats and forfeitures from British subjects;" "for more effectually securing to the officers and soldiers of the Virginia line, the lands reserved to them;" "for discouraging present settlements on the north-west side of the Ohio river, and for punishing persons attempting to prevent the execution of land office warrants;" and "for establishing Courts of Assize;" also, to receive the reports from the committee of the whole House, on the bills, "concerning non-jurors;" "to encourage the importation of salt," and "to amend the act, 'for the annual appointment of delegates to Congress," being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

### MONDAY, November 15, 1779.

General Nelson reported, from the committee of Propositions and Grievances, to whom the bill "to confirm certain sales and leases made by the trustees of the town of Alexandria, and to enlarge the said town," was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petitions of John Fisher and Ebenezer M'Harg, to them referred, and had agreed upon a report and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, that John Fisher is not within the operation of the resolution of the last session of Assembly respecting refugee tories, he having never departed this State, and that he has been always ready to take the oath of allegiance to the State, and to become a subject thereof. It also appears to your committee, that the said Ebenezer M'Harg hath shewed an attachment to the interests of America, by demeaning himself as a good citizen in taking the oath to the State, and by complying with the public requisitions in common with the other good citizens.

*Resolved*, that it is the opinion of this committee, That the said John Fisher be admitted, upon taking the oath of allegiance and fidelity, to the rights of citizenship.

*Resolved*, that it is the opinion of this committee, That the said Ebenezer M'Harg, ought to be considered as a citizen of this Commonwealth.

*Ordered*, That General Nelson do carry the resolutions to the Senate, and desire their concurrence.

*Resolved*, That the committee appointed to settle the treasurer's accounts, or any three of them, do examine and burn the old and defaced money that is now in the treasury.

*Ordered*, That Mr. Pendleton do carry the resolution to the Senate, and desire their concurrence.

Mr. Tazewell, according to the order of the day, reported from the committee of the whole House, the amendments made to the bill "to amend the act, 'for the annual appointment of delegates to Congress;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Bassett:

✠ Mr. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to John Coles. They have also agreed to the resolution for paying a sum of money to Peter Barksdale. And then he withdrew.

A message from the Senate by Mr. Griffin:

X Mr. SPEAKER,—The Senate have agreed to the bill "for the manumission of certain slaves." They have also agreed to the bill "to empower the judges of the General Court to superintend and regulate the public jail." And then he withdrew.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "concerning religion," being read,

A motion was made, and the question being put, that the same be put off till the first day of March next,

It was resolved in the affirmative.

*Ordered*, That leave be given to bring in a bill "for repealing so much of the act of Assembly, entitled 'an act for the support of the clergy, and for the regular collecting and paying the parish levies," as relates to the payment

of the salaries heretofore given to the clergy of the church of England; and that Messrs. Mason, Strother and Randolph, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "for saving and securing the property of the church heretofore by law established;" and that Messrs. Mason, Henry, and General Nelson, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "concerning orphans and legatees;" and that Messrs. Tazewell, Mason and Tyler, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "to amend the act for establishing a General Court;" and that Messrs. Tazewell, Henry, Tyler, and John Taylor, do prepare and bring in the same.

*Ordered*, That General Nelson have leave to be absent from the service of this House until Thursday next.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for the amendment of the law in cases of tender and refusal of money, and of secret assignments of bonds or other writings;" and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made no amendment thereto.

A motion was made and the question being put, that the bill be engrossed and read the third time,

It passed in the negative.

*Resolved*, That the bill be rejected.

On a motion made,

*Ordered*, That the House be called over immediately.

The House being accordingly called over, the names of the members who failed to appear were noted; and the names of those who made default being again called over, some were excused on account of sickness, employments in the service of the public elsewhere, and other justifiable avocations.

*Ordered*, That the serjeant at arms attending this House, take into his custody Mr. John Teacle, one of the members for the county of Accomac; William Mc-Clanahan and George Skillering, members for the county of Botetourt; Joseph Greenhill, one of the members for the county of Brunswick; John Smith, one of the members for the county of Frederick; John Whiting, one of the members for the county of Gloucester; John Stuart, one of the members for the county of Greenbrier; Nathaniel Wilkinson, one of the members for the county of Henrico; John S. Wells, one of the members for the county of Isle of Wight; James Harwood, one of the members for the county of Kentucky; William Harvey, one of the members for the county of Middlesex; John Evans, one of the members for the county of Monongalia; William Doah, one of the members for the county of Montgomery; Andrew Robison, one of the members for the county of Ohio; William Mayo, jun. and Littlebury Mosby, members for the county of Powhatan; William Robinson, one of the members for the county of Princess Anne; Silas Hart and John Gratton, members for the county of Rockingham; Abraham Bird, one of the members for the county of Shenandoah; Henry Gee, one of the members for the county of Sussex; Cole Digges, one of the members for the county of Warwick; David Campbell and Isaac Shelby, members for the county of Washington; William Harrison, one of the members for the county of Yohogania; and William Reynolds, one of the members for the county of York.

*Resolved*, That so much of any former order of this House as directs that upon a call of the House the doors shall not be shut until the names of the members are once called over, be rescinded.

The House being informed that Mr. John Gratton, one of the members for the county of Rockingham, and Mr. Littlebury Mosby, one of members for the county of Powhatan, attended in custody of the serjeant at arms, and that there was good cause to excuse their absence when the House was called over to-day,

*Ordered*, That the said John Gratton and Littlebury Mosby be discharged out of custody, without paying fees.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the dissolution of vestries;" being read,

*Ordered*, That the same be put off till Friday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for more effectually securing to the officers and soldiers of the Virginia line, the lands reserved to them, for discouraging present settlements on the north west side of the Ohio river, and for punishing persons attempting to prevent the execution of land office warrants;" being read,

*Ordered*, That the same be put off till Saturday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and on the bills "to amend the act concerning escheats and forfeitures from British subjects;" and "for establishing Courts of Assize;" also, to receive the reports from the committee of whole House, on the bills "concerning non-jurors;" and "to encourage the importation of salt;" being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

TUESDAY, November 16, 1779.

The House being informed that Mr. Cole Digges, one of the members for the county of Warwick, attended in custody of the serjeant at arms,

*Ordered*, That the said Cole Digges be discharged out of custody, paying fees.

The House being informed that Mr. Nathaniel Wilkinson, one of the members for the county of Henrico, and Mr. William Reynolds, one of the members for the county of York, attended in custody of the serjeant at arms, and that there was good cause to excuse their absence when the House was called over on yesterday,

*Ordered*, That the said Nathaniel Wilkinson and William Reynolds, be discharged out of custody, without paying fees.

An engrossed bill, "to amend the act for the annual appointment of delegates to Congress," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act to amend the act, 'for the annual appointment of delegates to Congress,' and for other purposes."

*Ordered*, That Mr. Tazewell do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the resolutions respecting the accounts of the commissioners of the Gun Manufactory at Fredericksburg. They have also agreed to the resolution for giving a salary to the commissioners of the said Gun Factory, with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment; and the same being read was agreed to.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

*Ordered*, That the committee of Ways and Means be empowered to appoint a clerk.

*Ordered*, That the committee of the whole House, to whom the bill "to amend the act concerning escheats and forfeitures from British subjects," was committed, be discharged from proceeding therein, and that the said bill, together with the petitions and other papers therewith referred, be committed to the committee of Ways and Means.

An engrossed bill, "to confirm certain sales and leases made by the trustees of the town of Alexandria, and to enlarge the said town," was read the third time, and a blank therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act to confirm certain sales and leases made by the trustees of the town of Alexandria, and to enlarge the said town."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for establishing Courts of Assize;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Munford reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, again to-morrow, resolve itself into a committee of the whole House on the said bill.

Mr. Henry reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, that the said Christopher Godwin did, on the 3d day of April, 1772, by deed, grant and to farm let unto John Hamilton, for the term of twenty years thence next following, a certain parcel of land with a house thereon in the county of Nansemond, yielding and paying annually, during the said term, the sum of ten pounds on the first day of May, and that by a proviso contained in the said lease it was not lawful for the said Christopher Godwin to re-enter, unless sufficient effects could not be found on the premises during the said twenty years, to answer the arrears of rent.

It also appears to your committee, that some time in the year 1775, the said John Hamilton deserted the said house and premises, and removed to foreign parts, and that all his estate, real and personal, hath since been sequestered as British property. It farther appears to your committee, that the said John Hamilton, the day before he fled from this State, committed unlawful and violent injuries on the person of the said Christopher Godwin, for which he has not, nor can he, obtain any redress by the ordinary course or process of law.

*Resolved, therefore, that it is the opinion of this committee*, That the petition of the said Christopher Godwin, praying that an act may pass, as well to revest the said lands and house, as to subject the estate or effects of the said John Hamilton, which have been or shall be escheated and forfeited to the use of the Commonwealth, to answer such damages as a jury may find (by an issue or issues directed for that purpose, to be tried in a general court,) the said Christopher Godwin hath sustained, is reasonable.

*Resolved, that it is the opinion of this committee*, That the petition of divers inhabitants of the county of Spottsylvania, praying a division of the said county, be rejected.

*Resolved, that it is the opinion of this committee*, That the petition of divers other inhabitants of the said county, in opposition thereto, is reasonable.

The 1st resolution was read a second time and agreed to by the House.



The 2d and 3d resolutions were read a second time, and ordered to be recommitted to the same committee.

*Ordered*, That a bill or bills, be brought in pursuant to the first resolution; and that the committee of Propositions and Grievances do prepare and bring in the same,

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Samuel Boyd, praying to be allowed the amount of his account for attendance, prescriptions and medicines, furnished for ten sick soldiers, from the 14th of October, 1778, to the 13th of February following, who were sent by the recommendation of Dr. Pope, and direction of Col. Marshall, from the garrison at York to their own county, for the benefit of their health, is reasonable; and that the petitioner ought to be allowed the sum of 265*l.* 2*s.* for the same.

*Resolved*, that it is the opinion of this committee, That the petition of Jesse Witt; setting forth, that under the authority of an act of Assembly, he was draughted as a soldier, and joined the army; that whilst in the service, he contracted an illness which deprived him of the use of his left arm, and was thereupon discharged as unfit for duty; that the half pay allowed in such cases, is at this time very inadequate to his support, and praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 50*l.* for his present relief.

*Resolved*, that it is the opinion of this committee, That the petition of James Riddell, praying some mode of redress may be pointed out for the injury he hath sustained in consequence of a breach of contract on the part of Samuel Martin, of Whitehaven, merchant, or that compensation may be made him out of the money arising from the sale of the said Martin's estate, which is forfeited to this Commonwealth, be rejected.

The 1st and 2d resolutions were read a second time, and agreed to by the House.

The third resolution was read a second time, and the question being put that it be recommitted to the same committee,

It was resolved in the affirmative.

*Ordered*, That Mr. Lee do carry the 1st and 2d resolutions to the Senate, and desire their concurrence.

A memorial of the court of directors of the hospital, for the reception of idiots, lunatics, and persons of insane and disordered minds, was presented to the House, and read; setting forth, that from the great depreciation of the paper currency, the sums granted for the support of that establishment, by the legislature are inadequate to its present support; and praying farther aid.

*Ordered*, That the said memorial be referred to the committee of Propositions and Grievances, to whom the bill "to revive and amend the act, 'for the support of idiots, lunatics, and persons of unsound mind,'" was committed.

Mr. Tazewell presented, according to order, a bill, "concerning orphans and legatees;" and the same was received and read the first time, and ordered to be read a second time.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and also, to receive the reports from the committee of the whole House, on the bills, "concerning non-jurors," and "to encourage the importation of salt," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, November 17, 1779.

A member, returned on a new writ, having taken the oaths required by law, took his seat in the House.

The House being informed that Mr. John Whiting, one of the members for the county of Gloucester, attended in custody of the serjeant at arms,

*Ordered*, That the said John Whiting be discharged out of custody, paying fees.

The Speaker laid before the House a letter from the Governor, on the subject of certain inquiries made by the executive, on complaints against justices of the peace for misfeasance in office, which was read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

A bill, "concerning orphans and legatees," was read the second time, and ordered to be committed to a committee of the whole House, on Friday next.

Mr. Henry, from the committee of Propositions and Grievances, presented, according to order, a bill "for incorporating the town of Alexandria, in the county of Fairfax;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That Mr. Custis have leave to be absent from the service of this House, until this day week, and Mr. Richeson, until Monday next.

Mr. Mason reported, from the committee appointed to inquire into the conduct of certain sheriffs, respecting their breach of trust, in misapplying the money collected for the taxes of their counties, that the committee had, according to order, made such inquiry, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, that on 7th or 8th day of October last, Henry Peyton, high sheriff of the county of Prince Edward, advanced and lent a large sum of money, which had been collected for public taxes, to Cuthbert Bullitt, attorney for the Commonwealth, and one of the commissioners of the tax for the said county of Prince William, to send by Col. Burr Harrison to the treasury, to purchase unappropriated lands from the public, which was accordingly applied in payment for a land office treasury warrant issued to the said Cuthbert Bullitt, on the 15th day of the same month.

That the said sheriff, the day before he advanced the money to Mr. Bullitt, was very active in the town of Dumfries in collecting the taxes; that among others, he applied to Mr. Thomas Chapman for the payment of about 700*l.*, due for the taxes of the sequestered estate of Robert Bristow, Esq., a British subject, and upon Mr. Chapman's informing him that the said taxes could not then be paid, without selling the said estate's tobacco immediately, which might be a loss to the public, as the proceeds thereof were to go into the treasury, as well as the taxes; the sheriff declared he must have his taxes immediately, for he wanted to send as large a sum of money as he could by Col. Burr Harrison to the treasury; in part payment of the taxes, to prevent any imputation on his own conduct, of negligence, or want of punctuality; and upon Mr. Chapman's addressing himself to the commissioners of the tax for their advice, Mr. Bullitt, and another of the said commissioners, replied, by all means the tobacco must be sold, and the sheriff paid.

That Alexander Keith, an under sheriff in the said county, intended to send down a sum of money, which he had collected, by Mr. Hugh Brent, to be paid into the treasury for taxes; but instead of doing so, he paid it to the high sheriff: and that no money hath yet been paid into the treasury for the present year's taxes of the said county of Prince William; the whole of the money sent down by Col. Burr Harrison having been invested in a land office warrant for Mr. Bullitt, except 400*l.*, which was invested in a land office warrant for the said high sheriff.

It farther appears to your committee, that the said Cuthbert Bullitt also applied to John Barker, an under sheriff in the county of Fauquier, to borrow of him a considerable sum of money collected for taxes, but the said John Barker, judging he had no right to make any such application of the public money in his hands, refused to lend it, and hath since paid into the treasury the sum of 5,846*l.* 8*s.* in part of the taxes for the said county of Fauquier.

*Resolved therefore, as the opinion of this committee,* That the application of public money to private purposes is a high breach of trust in a sheriff or other public officer, and ought to be effectually restrained.

*Resolved,* That the public Auditors ought to be empowered to move for, and obtain judgments against public defaulters, on some certain day, as well in the December as in the March session of the General Court.

*Resolved,* That all sheriffs and other public officers, guilty of misapplying public money to private purposes, or other peculation, should be subjected to indictment for a misdemeanor in the General or any County Court, and punishable, upon conviction, by fine or imprisonment, at the discretion of a jury.

*Ordered,* That a bill or bills, be brought in pursuant to the foregoing resolutions; and that the committee appointed to make the said inquiry do prepare and bring in the same.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill, “to amend the act, to increase the salaries of the clerks to the auditors of public accounts;” they have also agreed to the several resolutions for burning the old and defaced money in the treasury; for empowering the Governor and Council to apprehend persons that may attempt to subvert the government; for giving a salary to the Rev. William Bland, ordinary of Newgate; for paying certain sums of money to Benjamin Johnson, Larkin Chew and John Clarke; and, for declaring John Fisher and Ebenezer McHarg citizens of this Commonwealth. And then he withdrew.

Mr. Mason reported, from the committee of Ways and Means, to whom the bill “to amend the act concerning escheats and forfeitures from British subjects” was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again once read throughout.

On a motion made,

*Ordered,* That the bill, with the amendments, be committed to a committee of the whole House immediately.

The House, accordingly resolved itself into a committee of the whole House on the said bill, with the amendments; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered,* That the bill, with the amendments, be engrossed and read the third time.

Mr. Henry reported, from the committee of Propositions and Grievances, to whom the report upon the memorial of Charles Lynch was recommitted, that the committee had, according to order, had the same under their consideration, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, that by a resolution of Convention in May, 1776, the slaves then in the public jail were directed to be delivered to the said Lynch, to enable him to carry on the making of saltpetre, and that the sum of 150*l.* had been advanced to him by the committee of Safety and Convention, and that the said Charles Lynch should be at liberty to draw on the treasurer for any farther sum not exceeding 500*l.* which he might find necessary for carrying on the business with alacrity, provided he gave bond with sufficient security for re-payment of what he



should so receive and draw for, together with the reasonable hire of the negroes, in powder at the price of six shillings per pound, and out of the first he should make, to be delivered at New London, if required: It also appears to your committee, that the said Charles Lynch was by contract to keep the said slaves till the last day of November, 1778, unless before removed by order of the General Assembly or Executive power, and that all the powder which should be manufactured by the said Lynch before the last day of December, 1778, should be taken for public use at the rate of six shillings per pound; that on or about the first day of April, 1778, six of the said slaves were removed to the lead mines, by order of the Executive power: It also appears to your committee, from the information of the said Charles Lynch, that he delivered for public use 623 lbs. of powder, and that he had on hand at the time the said slaves were removed to the lead mines 400 lbs. of powder, 150 lbs. of which was stolen from him, and the remaining 250 lbs. he sold at 36s. per pound.

Whereupon, your committee came to the following resolutions:

*Resolved*, that it is the opinion of this committee, That the memorial of the said Charles Lynch, praying to be released from his contract, and to be allowed to pay the balance of the money due the public, with interest, is reasonable.

*Resolved*, that it is the opinion of this committee, That the said Charles Lynch ought to have credit in his account with the public for the 150 lbs. of powder stolen from him, at the rate of 6s. per pound, amounting to 45l.

*Resolved*, that it is the opinion of this committee, That the said Charles Lynch ought to pay the public for the said 250 lbs. of powder, by him sold, at the rate of 36s. per pound, amounting to 450l.

The first and third resolutions were read a second time, and agreed to by the House.

The second resolution was read a second time, and disagreed to by the House.

*Ordered*, That Mr. Henry do carry the first and third resolutions to the Senate, and desire their concurrence.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and, on the bill "for establishing Courts of Assize;" and also to receive the reports from the committee of the whole House, on the bills "concerning non-jurors," and "to encourage the importation of salt," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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#### THURSDAY, November 18, 1779.

An engrossed bill, "to amend the act concerning escheats and forfeitures from British subjects," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to amend the act 'concerning escheats and forfeitures from British subjects.'"

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

Mr. Henry presented, according to order, a bill "for granting relief to Christopher Godwin;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Mason presented, according to order, a bill "to repeal so much of the act for the support of the clergy, and for the regular collecting and paying the parish levies," as relates to the payment of the salaries heretofore given to the clergy of the church of England; and the same was received and read the first time, and ordered to be read a second time.

Mr. Mason presented, according to order, a bill "concerning tobacco fees;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Lee reported, from the committee of Trade, to whom the resolution upon the petition of James Riddell was recommitted, that the committee had, according to order, had the same under their farther consideration, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, that by an agreement entered into between Samuel Martin and the said Riddell, at Whitehaven, the 23d of August, 1774, the said Riddell was, by the first day of January then next following, to proceed for Virginia to the estate of the said Martin, and there to act as factor or agent in the sale of such goods as should be sent him by the said Martin, and in the purchase of tobacco and wheat, during the term of five years, and to observe, from time to time, such directions as should be given by the said Martin; in consideration whereof, the said Samuel Martin engaged to pay the said Riddell the sum of eighty pounds sterling by the year for the three first years, and one hundred pounds sterling a year for the two other years.

It likewise appears to your committee, that the said Riddell proceeded to Virginia, undertook the business, and continued therein for two years; at the expiration whereof he settled his accounts with Richard Squire Taylor, attorney in fact for the said Martin, and received the balance of the wages due for the two first years, and delivered up sundry accounts and bonds due to the said Martin on the store account, together with the estate's books of accounts, deeds, agreements, and all instruments of writing relative to the said estate.

Whereupon your committee came to the following resolution:



*Resolved, that it is the opinion of this committee,* That the petition of the said James Riddell, be rejected.

*Ordered* That leave be given to bring in a bill, "for ascertaining the loss, and requiring retribution for the depredations of the enemy on private property;" and that Mr. Mason do prepare and bring in the same.

The Board of Trade, according to order, laid before the House a state of the public salt works; and the same was read and ordered to lie on the table.

A bill, "for incorporating the town of Alexandria, in the county of Fairfax," was read the second time, and ordered to be committed to a committee of the whole House on Saturday next.

Mr. Mason presented, according to order, a bill "for ascertaining the loss, and requiring retribution for the depredations of the enemy on private property;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered,* That Mr. Munford be added to the committee appointed to prepare and bring in a bill, "to amend the act establishing a Board of War."

Mr. Henry reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the Governor's letter respecting Mr. John Ballendine's claim to the canal and lands adjoining thereto, near Westham; also, the Buckingham furnace; together with the memorial of the said John Ballendine and John Reevely, to them referred; and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee,* That they cannot, consistently with the Constitution of this Commonwealth, assume to themselves the judiciary powers of government; and therefore, that the determination of the validity of the said Ballendine's title to the canal and certain adjacent lands, near Westham, is the proper object of the courts of justice. The committee do not mean by this resolution to impeach or contract that principle of law which asserts, "that the interest of an individual must be subservient to the public good."

*Resolved, that it is the opinion of this committee,* That the Governor and Council be referred to the resolutions of the Assembly of the 25th of June, 1779, with respect to the line of conduct to be observed towards the said John Ballendine.

*Resolved, that it is the opinion of this committee,* That the Governor and Council be empowered to direct the commissioners heretofore appointed, or any others, to settle the accounts with the said John Ballendine respecting the canal and works near Westham, and with the said Ballendine and John Reevely respecting the Buckingham furnace; that the said commissioners be empowered to give the said Ballendine and Reevely, respectively, notice when they will proceed thereupon; and that they make report especially to this present session of Assembly, or, if that cannot be done, to the next session of Assembly.

*Resolved, that it is the opinion of this committee,* That the said commissioners settle the pig iron contracted for by the public at the price thereof at the time of the several advances of money to the said Ballendine and Reevely, on account of the Buckingham furnace, according to the amount of each; and that they also enter any credits on behalf of the said Ballendine, extending in pig iron the balances, if any, which may be due to him, according to the same rule and principle.

*Ordered,* That Mr. Henry do carry the third and fourth resolutions to the Senate, and desire their concurrence.

Mr. Munford reported, according to the order of the day, the amendments made by the committee of the whole House to the bill, "to encourage the importation of salt;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered,* That the bill, with the amendments, be engrossed and read a third time.

Mr. Henry reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petition of divers inhabitants of the county of Rockingham, to them referred, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the said county of Rockingham, praying that the act of Assembly, entitled "an act for laying a tax payable in certain enumerated commodities," may be repealed, be rejected.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and on the bill "for establishing Courts of Assize;" also, to receive the report from the committee of the whole House on the bill "concerning non-jurors," being read,

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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FRIDAY, November 19, 1779.

An engrossed bill, "to encourage the importation of salt," was read the third time.

*Resolved,* That the bill do pass, and that the title be, "an act to encourage the importation of salt."

*Ordered,* That Mr. Munford do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Jett:

MR. SPEAKER,—The Senate have examined several other enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

The Speaker then signed the following enrolled bills: "an act for giving a bounty of lands to the chaplains, surgeons, and surgeons mates, of regiments or brigades raised by this State, and upon continental establishment;" "an act for farther continuing an act, entitled 'an act to empower the Governor and Council to lay an embargo for a limited time';" "an act concerning the naval office of the district of South Potowmac;" "an act for dividing the parish of Drysdale, in the counties of Caroline and King and Queen;" "an act for farther continuing an act, entitled 'an act to enable the Governor and Council to supply the armies and navies of the United States, and of their Allies, with grain and flour';" "an act for farther continuing an act 'for giving certain powers to the Governor and Council';" "an act for marking and opening a road over the Cumberland mountains, into the county of Kentucky;" "an act to amend the act, entitled 'an act for regulating ordinaries and restraint of tippling houses.'"

*Ordered*, That Mr Randolph leave to be absent from the service of this House until Monday next; Mr. Stratton, until Monday se'nnight; Mr. Tompkins, until this day fortnight; Mr. Buford, until Monday fortnight; and Mr. Brickell, for the remainder of the session.

Mr. Henry reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the counties of Henry and Bedford, praying that a new county may be formed out of the said counties, by a line to begin at the head of Shooting creek, thence running to the head of Turkey-cock mountain, thence along the top of the mountain to intersect the dividing line between the counties of Henry and Pittsylvania, thence along that dividing line to the mouth of Blackwater river, thence to the Blue Ridge of mountains, thence along the said mountains to the head of Shooting creek, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Spottsylvania, praying that the said county may be divided by the line dividing the parishes of St. George and Norborne, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers other inhabitants of the said county in opposition thereto, is reasonable.

The first resolution was read a second time, and disagreed to by the House.

The second and third resolutions were read a second time, and agreed to by the House.

A message from the Senate by Mr. Stevens:

MR. SPEAKER,—The Senate have agreed to the resolutions for paying certain sums of money to Samuel Boyd and Jesse Witt. And then he withdrew.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate have agreed to the bill, "concerning a lead mine, the property of John and Meade Anderson," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, some were agreed to, and others disagreed to.

*Ordered*, That Mr. Munford do acquaint the Senate therewith.

The House being informed, that Mr. John Smith, one of the members for the county of Frederick, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Monday last,

*Ordered*, That the said John Smith be discharged out of custody, without paying fees.

The Speaker laid before the House a letter from the Governor, enclosing one from the President of Congress, together with an act of that body, recommending it to the legislature to reconsider the late law for opening the land office; which were read, and ordered to lie on the table.

A bill, "concerning tobacco fees," was read the second time, and ordered to be committed to a committee of the whole House, on Tuesday next.

A bill, "to repeal so much of the act for the support of the clergy, and for the regular collecting and paying the parish levies," as relates to the payment of the salaries heretofore given to the clergy of the church of England, was read the second time, and ordered to be committed to a committee of the whole House on Monday next.

A bill, "for ascertaining the loss, and requiring retribution for the depredations of the enemy on private property," was read the second time, and ordered to be committed to a committee of the whole House on Tuesday next.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of George Gilbert; setting forth, that in the year 1774, he contracted to build a prison in the county of Amherst, but by means of himself and apprentices entering into the service, the prosecution thereof was retarded until the consideration which he was to receive for his labor and expenses, from the depreciation of money, became very inadequate thereto; and praying relief, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of James Dabney, praying to be allowed for necessities furnished the wife and children of James Boyd, a soldier who was draughted into the service, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of John Mahon, late a soldier in Col. William Grayson's regiment, who being afflicted with the rheumatism whilst in the service, obtained a discharge, and since that time hath been by sickness rendered unable to provide for the support of himself and family by labor, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of Theodorick Carter, Alexander Guthrey, William Hendrick, and David Fendley, praying a farther allowance for their services and expenses than was allowed them by the auditors in attending as guards over a criminal from Cumberland county to the public jail in the month of September last, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of Charles Bellini; setting forth, that the salary of twenty shillings per day, allowed him as clerk of foreign correspondence, is very inadequate to his services; and praying an augmentation thereof, is reasonable; and that the petitioner ought to be allowed the sum of 600*l.* per annum for his services in future.

*Resolved, that it is the opinion of this committee,* That so much of the petition of Nicholas Davis, as prays that his whole estate may be exempted from the payment of taxes for ever, except such parts thereof, as he proposes to appropriate towards the establishment of a charity school, hospital and church, be rejected.

*Resolved, that it is the opinion of this committee,* That such other part of the said petition, as prays that certain grants and orders for land may be surveyed and appropriated in certain proportions between his heirs and his said charity establishment, be rejected.

*Resolved, that it is the opinion of this committee,* That such other part of the said petition, as prays a scheme of a lottery may be granted him for raising a sum of money, to be applied towards erecting a charity school, hospital, and other necessary buildings on mount Bethel, be rejected.

The 1st, 2d, 4th, 5th, 6th and 7th resolutions were read a second time, and agreed to by the House.

The third resolution was read a second time, and ordered to be recommitted to the same committee.

The 8th resolution was read a second time, amended, and agreed to by the House.

*Ordered,* That Mr. Lee do carry the 5th resolution to the Senate, and desire their concurrence.

*Ordered,* That leave be given to bring in a bill, "to amend the act concerning highways, mill-dams, and bridges," and that Messrs. Pendleton and Ball do prepare and bring in the same.

*Resolved,* That the sum of one hundred pounds be paid by the treasurer to Stephen Shelton, as a reward for his apprehending and bringing to justice Nathaniel Abney, who was found in possession of types and implements for counterfeiting the bills of credit of this State.

*Ordered,* That Mr. Munford do carry the resolution to the Senate, and desire their concurrence.

*Resolved,* That the Governor and Council be desired to lay before this House the state of the public foundery, which was laid before them by the Board of War.

*Ordered,* That Mr. Carrington do wait on the Governor with the said resolution.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolutions respecting a public contract with Charles Lynch, with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, some were agreed to, and others disagreed to.

*Ordered,* That Mr. Henry do acquaint the Senate therewith.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for the dissolution of vestries," being read,

*Ordered,* That the same be put off till Monday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "concerning orphans and legatees, being read,

A motion was made, and the question being put that the same be put off till the 15th day of March next,

It was resolved in the affirmative.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and on the bill "for establishing Courts of Assize;" also to receive the report from the committee of the whole House, on the bill "concerning non-jurors;" being read,

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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SATURDAY, November 20, 1779.

*Ordered,* That Mr. Peachey have leave to be absent from the service of this House for the remainder of the session.

The Speaker laid before the House a letter from Cyrus Griffin, Esq. one of the delegates of this Commonwealth



in Congress, enclosing a resolution of that body respecting incursions made on the Indian lands to the north west of the Ohio river, which was read and ordered to lie on the table.

*Resolved*, That this House will, on Wednesday next, proceed by joint ballot with the Senate to the choice of delegates to represent this Commonwealth in Congress, in the room of the gentlemen who have resigned that appointment.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the Board of War be empowered to appoint an assistant clerk, and that he be allowed the sum of eight hundred pounds per annum.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to Stephen Shelton. And then he withdrew.

*Ordered*, That leave be given to bring a bill “to amend and explain an act of this present session of Assembly for dividing the parish of Drysdale, in the counties of Caroline and King and Queen;” and that Messrs. Henry, Mason, Edmondson, General Nelson, and Braxton, do prepare and bring in the same.

A bill, “for the relief of Christopher Godwin;” was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, “for more effectually securing to the officers and soldiers of the Virginia line the lands reserved to them, for discouraging present settlements on the north west side of the Ohio river, and for punishing persons attempting to prevent the execution of land office warrants;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of whole House, on the said bill.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and on the bills “for incorporating the town of Alexandria, in the county of Fairfax;” and “for establishing Courts of Assize;” also, to receive the report from the committee of the whole House, on the bill “concerning non-jurors;” being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning 10 o'clock.

### MONDAY, November 22, 1779.

The House being informed, that Mr. John Teacle, one of the members for the county of Accomac, attended in custody of the serjeant at arms,

*Ordered*, That the said John Teacle be discharged out of custody, paying fees.

The House being informed that Mr. George Skillering, one of the members for the county of Botetourt; and Mr. William Doab, one of the members for the county of Montgomery, attended in custody of the serjeant at arms, and that there were good cause to excuse their absence when the House was called over on Monday last,

*Ordered*, That the said George Skillering and William Doab, be discharged out of custody, without paying fees.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate have receded from their amendment disagreed to by this House, to the bill “concerning a lead mine the property of John and Meade Anderson.” And then he withdrew.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have receded from their amendments disagreed to by this House, to the resolutions respecting the public contract with Charles Lynch. And then he withdrew.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill “to confirm certain sales and leases made by the trustees of the town of Alexandria, and to enlarge the said town.” They have also agreed to the bill “to revive an act, entitled ‘an act to amend an act for preventing forestalling, regrating, engrossing and public vendues,’ with several amendments; to which they desire the concurrence of this House. And then he withdrew.

General Nelson reported, from the committee of Propositions and Grievances, to whom the bill “for continuing an act, entitled ‘an act to make provision for the support and maintenance of idiots, lunatics and persons of unsound mind,’ was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same was again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the bill “for amending an act, entitled ‘an act for appointing the

place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms." They have also agreed to the bill "to amend the act 'for the annual appointment of delegates to Congress, and for other purposes,'" with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, some were agreed to, some amended and agreed to, and others disagreed to.

*Ordered*, That Mr. Tazewell do acquaint the Senate therewith.

Mr. Henry reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of William Henry, Jesse Burton, Roger Thompson and John Cobbs, praying to be reimbursed their expenses in defending a prosecution ordered against them by the House of Delegates in the General Court for bribery, of which they were acquitted, is reasonable.

*Resolved*, that it is the opinion of this committee, That there ought to be allowed and paid to the said William Henry, Jesse Burton, Roger Thompson and John Cobbs, the sum of sixty-two pounds eight shillings, in equal proportions, being the amount of the clerk's and sheriff's fees and witnesses attendance.

*Resolved*, that it is the opinion of this committee, That there ought to be allowed and paid to the said William Henry, Jesse Burton, Roger Thompson and John Cobbs, the sum of one hundred and seventy-five pounds ten shillings, being the amount of the fees paid to three lawyers for defending them against four indictments.

*Resolved*, that it is the opinion of this committee, That the said William Henry, Jesse Burton, Roger Thompson and John Cobbs, ought to be allowed and paid the sum of one hundred and eighty-eight pounds ten shillings, being the amount of their travelling expenses incurred by defending the said indictments.

*Resolved*, that it is the opinion of this committee, That the petition of Captain Alexander Dick, praying to be reimbursed his expenses incurred as well while a prisoner in Great Britain, as returning to Virginia, is reasonable; and that he ought to be allowed and paid the sum of two thousand seven hundred and thirty pounds for the same, exclusive of his pay.

*Resolved*, that it is the opinion of this committee, That the petition of Thomas Swearingen, praying that so much of an act of Assembly as establishes a ferry from the land of Abraham Shepherd, in the county of Berkeley, across Potowmac river, to the State of Maryland, may be repealed, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Albemarle, praying that every person purchasing unappropriated lands may be compelled to settle a white free man on every four or five hundred acres within three years, be rejected.

*Ordered*, That Mr. Henry do carry the 1st, 2d, 3d, 4th and 5th resolutions to the Senate, and desire their concurrence.

*Ordered*, That the committee of Propositions and Grievances, to whom the bill "for establishing a ferry across the Kentucky river," was committed, do receive a clause or clauses, pursuant to the sixth resolution.

Mr. Pendleton presented, according to order, a bill "to amend an act, entitled 'an act concerning highways, mill-dams and bridges,'" and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the bill "to suppress excessive gaming," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

A memorial of John Ballendine, was presented to the House, and read; setting forth, that he is desirous of prosecuting the canal which he some time since began for opening the falls of James river; and praying that his proposals to that effect may be considered.

Also, a memorial of sundry inhabitants of the county of Botetourt, whose names are thereunto subscribed; setting forth, that the act for opening the land office is unequal and oppressive; and praying that the same may be amended.

*Ordered*, That the said memorials be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

General Nelson reported, from the committee of Propositions and Grievances, to whom the bill, "to empower the sheriffs to receive tobacco in payment of the public taxes" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

The Speaker laid before the House a letter from the Governor, stating sundry matters for the consideration of the House, and enclosing several letters and papers on the subject thereof; and the same were read,

*Ordered*, That so much of the said letter and enclosures as respects the public Cannon Foundry on James river be referred to the committee of Propositions and Grievances.

*Ordered*, That so much of the said letter and enclosures as relates to other matters, be referred to the committee of the whole House on the state of the Commonwealth,



A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have disagreed to the amendment of this House to the second amendment of the Senate to the bill, “to amend the act for the annual appointment of delegates to Congress;” and they do insist on their other amendments to the said bill, disagreed to by this House. And then he withdrew.

The House proceeded to reconsider the said amendments; and the same being read, the House do insist on their amendment to the said second amendment, and adhere to their disagreement to the other amendments to the said bill, insisted on by the Senate.

*Ordered*, That Mr. Tazewell do acquaint the Senate therewith.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the memorial of sundry officers of the Virginia line upon continental establishment, to them referred, and had come to several resolutions thereupon which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That such part of the said memorial as prays that so much of the estates of the said officers as are rendered unprofitable by their absence may be exempted from taxation, be rejected.

*Resolved*, that it is the opinion of this committee, That such other part of the said memorial as prays that the managers or overseers of the estates of the said officers may be exempted from militia duty, be rejected.

The orders of the day, for the House to resolve itself into a committee of the whole House on the bills, “for establishing courts of Assize,” and “for incorporating the town of Alexandria, in the county of Fairfax,” being read,

*Ordered*, That the same be put off till Wednesday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and also upon the bills, “to repeal so much of the act for the support of the clergy and for the regular collecting and paying the parish levies,” as relates to the payment of the salaries heretofore given to the clergy of the church of England, and “for more effectually securing to the officers and soldiers of the Virginia line the lands reserved to them, for discouraging present settlements on the north west side of the Ohio river, and for punishing persons attempting to prevent the execution of land office warrants,” being read,

*Ordered*, That the same be put off till to-morrow.

On a motion made,

*Ordered*, That the report from the committee of the whole House on the bill “concerning non-jurors” be re-committed to the same committee.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House on the said bill and report.

And then the House adjourned till to-morrow morning, 10 o’clock.

## TUESDAY, November 23, 1779.

An engrossed bill, “for continuing an act, entitled ‘an act to revive and amend an act, entitled ‘an act to make provision for the support and maintenance of idiots, lunatics, and persons of unsound minds,’ was read the third time.

*Resolved*, That the bill do pass, and that the title be, “an act for continuing an act, entitled ‘an act to revive and amend an act, entitled ‘an act to make provision for the support and maintenance of idiots, lunatics, and persons of unsound minds.’”

*Ordered*, That Mr. Carrington do carry the bill to the Senate, and desire their concurrence.

A bill, “to amend the act, concerning highways, mill-dams, and bridges, was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

The House proceeded to consider the amendments of the Senate to the bill “to suppress excessive gaming;” and the same being read were agreed to.

*Ordered*, That Mr. Carrington do acquaint the Senate therewith.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the opinion of divers inhabitants of the counties of Hanover and Henrico, praying that commissioners may be appointed to ascertain the dividing line between the said counties in Chickabominy Swamp, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers other inhabitants of the said counties, in opposition thereto, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of James City, praying that an act may pass for discontinuing the ferry from James-town across James river, and for establishing one in lieu thereof from the land of Mrs. Ambler, above Sandy Bay, is reasonable.



*Ordered*, That the committee of Propositions and Grievances, to whom the bill "for establishing a ferry across the Kentucky river was committed, do receive a clause or clauses, pursuant to the third resolution.

A memorial of Peter Pelham was presented to the House, and read; setting forth, that by a deduction from the sum of tobacco allowed him upon the passing of his accounts as keeper of the public jail at the laying the public levy, and the delay consequent thereon, he hath sustained particular inconvenience and loss, and praying relief.

A motion was made, and the question being put that the same be referred to the consideration of a committee, it passed in the negative.

*Resolved*, That the petition be rejected.

The House proceeded to consider the amendments of the Senate to the bill, "to revive an act entitled 'an act to amend an act for preventing forestalling, regrating, engrossing, and public vendues,'" and the same being read were disagreed to.

*Ordered*, That Mr. Carrington do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House on the bill, "for more effectually securing to the officers and soldiers of the Virginia line the lands reserved to them, for discouraging present settlements on the north west side of the Ohio river, and for punishing persons attempting to prevent the execution of land office warrants;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and made a farther progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, again to-morrow, resolve itself into a committee of the whole House on the said bill. A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have receded from their amendments disagreed to by this House to the bill, "to revive an act entitled 'an act to amend an act for preventing forestalling, regrating, engrossing, and public vendues.'" And then he withdrew.

The Speaker laid before the House a letter from the Governor, stating several matters for the consideration of the House, and enclosing sundry letters and papers on the subject thereof, which were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

A state of the Public Cannon Foundry at Westham, as returned by the Board of War to the Governor and Council, was presented to the House, and read;

*Ordered*, That the said state be referred to the committee of Propositions and Grievances.

*Ordered*, That Mr. John Reevly, manager at the said works, do lay before the committee of Propositions and Grievances an account of the expenditures therein, and present the state thereof.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills "concerning tobacco fees;" "to repeal so much of the act for the support of the clergy, and for the regular collecting and paying the parish levies, as relates to the payment of the salaries heretofore given to the clergy of the church of England;" and on the bill "concerning non-jurors," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for ascertaining the loss, and requiring retribution for the depredations of the enemy on private property, being read,

*Ordered*, That the same be put off till Thursday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY, November 24, 1779.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to the resolution respecting Major Alexander Dick. And then he withdrew.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the bill "for laying an embargo on salt;" they have also agreed to the bill, "to encourage the importation of salt," with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The Speaker laid before the House a letter from the Governor, enclosing a memorial of Mr. De Francey respecting a commercial transaction between the executive and his principal, Mr. De Beaumarchais, with other papers on the subject thereof, which were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

*Ordered*, That leave be given to bring in a bill, "for the better support of the delegates to Congress, and for other purposes," and that General Nelson do prepare and bring in the same.

The House being informed, that Mr. John Fox, one of the members for the county of Gloucester, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence, when the House was called over on Monday the 15th instant,

*Ordered*, That the said John Fox be discharged out of custody, without paying fees.

General Nelson reported, from the committee of Propositions and Grievances, to whom the bill "for establishing a new ferry" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The Speaker laid before the House, a letter from the Governor, requesting that the vouchers returned by the commissioners of the Gun Manufactory at Fredericksburg, on the settlement of their accounts, may be furnished to the executive, to be by them used as vouchers in adjusting the account of the Commonwealth against the continent, which was read,

*Ordered*, That the papers desired in the said letter be sent to the Governor.

General Nelson presented, according to order, a bill "for the better support of the delegates to Congress, and for other purposes;" and the same was received and read the first time, and ordered to be read a second time.

A memorial of Col. Charles Harrison was presented to the House, and read; setting forth, that although the far greater part of the regiment of artillery under his command, was recruited in this State, and the same has been received by Congress as of the quota of the State, yet they have not received any of the bounty or advantages given by the State to their other troops by an act of the last session of Assembly, from a supposition that they were not included therein; and praying that the same may be so explained and amended as to afford relief in this case, or other measures taken for that purpose.

*Ordered*, That the said memorial be referred to the committee of the whole House upon the state of the Commonwealth.

*Ordered*, That leave be given to bring in a bill, "to explain and amend the act concerning officers, soldiers, sailors and marines," and that General Nelson, Messrs. Henry, Braxton and Burwell, do prepare and bring in the same.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration a memorial and petition to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the memorial of divers inhabitants of the county of Boteourt, praying that the act of Assembly "for opening a land office," may be revised and amended, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Kentucky, praying farther time may be allowed for the payment of money due on pre-emption warrants, is reasonable; and that warrants shall issue for the location of such rights to the inhabitants of the said county, without the actual payment of the State price for the said lands, except those who are entitled to pre-emption warrants for one thousand acres of land, in consequence of having built any house, but, or other improvement thereon, before the first day of January, 1778; but that no grant shall issue before the said price is paid, which shall be done within twelve months after the issuing of such warrants.

*Ordered*, That the committee to whom the bill "concerning certain claims to waste or unappropriated lands" was committed, do receive a clause or clauses, pursuant to the second resolution.

General Nelson reported, from the committee of Propositions and Grievances, to whom the bill, "for the relief of Christopher Godwin" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for more effectually securing to the officers and soldiers of the Virginia line the lands reserved to them, for discouraging present settlements on the north west side of the Ohio river, and for punishing persons attempting to prevent the execution of land office warrants;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Mumford reported, that the committee had, according to order, had the said bill under their farther consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A bill, "for the better support of the delegates to Congress, and for other purposes," was read the second time, and ordered to be engrossed and read the third time.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and on the bills, "for incorporating the town of Alexandria, in the county of Fairfax;" "for establishing Courts of Assize;" "concerning tobacco fees;" and "concerning non-jurors," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House on the bill, "to re-



peal so much of the act, for the support of the clergy, and for the regular collecting and paying the parish levies," as relates to the payment of the salaries heretofore given to the clergy of the church of England, being read,

*Ordered*, That the same be put off till Friday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, November 25, 1779.

An engrossed bill, "for more effectually securing to the officers and soldiers of the Virginia line, the lands reserved to them, for discouraging present settlements on the north west side of the Ohio river, and for punishing persons attempting to prevent the execution of land office warrants," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for more effectually securing to the officers and soldiers of the Virginia line, the lands reserved to them, for discouraging present settlements on the north west side of the Ohio river, and for punishing persons attempting to prevent the execution of land office warrants."

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Jones:

MR. SPEAKER.—The Senate have agreed to the resolutions for reimbursing William Henry, Jesse Burton, Roger Thompson, and John Cobbs, their expenses in defending a prosecution ordered against them by the House of Delegates. And then he withdrew.

The Speaker laid before the House, two letters from the Governor, stating several matters for the consideration of the House, and enclosing several letters and papers on the subject thereof, which were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

An engrossed bill, "for the better support of the delegates to Congress, and for other purposes," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for the better support of the delegates to Congress, and for other purposes."

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for establishing a new ferry," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for establishing several new ferries, and for other purposes."

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for the relief of Christopher Godwin," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for the relief of Christopher Godwin."

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration two memorials and a petition to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the farther consideration of the memorial of John Ballentine, praying to be empowered and authorised to extend the canal from his land to the navigable waters of James river, be deferred to the next session of Assembly; and that in the mean time public notice be given by advertisement in the Virginia Gazette, that the Assembly will proceed, at their next session, to consider the practicability and means of opening a canal from Westham to Richmond, and for that purpose, will receive the proposals and terms of any person or persons for undertaking and completing such canal.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Augusta, praying a division of the said county, be rejected.

*Resolved*, that it is the opinion of this committee, That the memorial of Bernard Gratz in behalf of himself and others, be rejected; for that if they have any legal or equitable claim to the lands conveyed to them by George Croghan, such claim should be investigated and determined in a court of law or equity.

*Ordered*, That General Nelson do carry the first resolution to the Senate, and desire their concurrence.

*Ordered*, That the committee appointed to prepare and bring in a bill, "for incorporating the town of Winchester," be discharged from proceeding thereon; and that the committee of the whole House, to whom the bill "for incorporating the town of Alexandria, in the county of Fairfax," was committed, do receive a clause or clauses, for incorporating the said town of Winchester.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for incorporating the town of Alexandria, in the county of Fairfax;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills "for the



dissolution of vestries," and "for ascertaining the loss, and requiring retribution for the depredations of the enemy on private property," being read,

*Ordered*, That the same be put off till Monday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and on the bills "concerning tobacco fees;" "for establishing Courts of Assize;" and "concerning non-jurors," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

FRIDAY, November 26, 1779.

General Nelson presented, according to order, a bill "to indemnify William Campbell, Walter Crockett, and others, concerned in suppressing a late conspiracy;" and the same was received and read the first time, and ordered to be read a second time.

General Nelson reported, from the committee of Propositions and Grievances, to whom the bill "to amend the act, concerning highways, mill-dams and bridges," was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Gen. Nelson reported, that the committee had, according to order, had the state of the Commonwealth under farther consideration, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, That all officers and soldiers, being citizens of this Commonwealth, belonging to any corps on continental establishment, and not being in the actual service of any other State, shall hereafter be entitled to all State provisions, clothing, bounty, or other emoluments, either in land or money, which have been or shall be allowed to those belonging to the line of this State, although such officers and soldiers do not immediately serve therein, and also, to the six months pay presented to each officer and soldier by "an act, to enable the officers of the Virginia line, and to encourage the soldiers of the same line, to continue in the continental service."

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill, "to continue an act, 'to revive and amend an act, to make provision for the support and maintenance of idiots, lunatics, and persons of unsound minds;" they have also agreed to the resolutions for augmenting the salary of the clerk of foreign correspondence, and respecting the public contract with Messrs. Ballentine and Reevely; and to the bill, "to amend the act, 'concerning escheats and forfeitures from British subjects," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendment of the Senate, to the bill "to encourage the importation of salt;" and the same being read was agreed to.

*Ordered*, That Mr. Munford do acquaint the Senate therewith.

Mr. Braxton reported, from the committee of Privileges and Elections, that the committee had, according to order, examined several certificates of the election of delegates to serve in this present General Assembly, compared the same with the form prescribed by law, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the certificates of the election of delegates to serve in this present General Assembly for the counties of Accomac, Albemarle, Greenbrier, and Stafford, and of a delegate for the borough of Norfolk, are made in the form prescribed by law.

*Resolved*, that it is the opinion of this committee, That the certificate of the election of a delegate to serve in this present General Assembly for the county of York, is not made in the form prescribed by law.

*Ordered*, That the return for the county of York do lie on the table.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for establishing Courts of Assize;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and made a farther progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the resolution respecting the memorial of John Ballendine; they have also agreed to the bill, "for the better support of the delegates to Congress, and other purposes," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The Speaker laid before the House a letter from Cyrus Griffin, Esq. one of the delegates of this Commonwealth in Congress, respecting the proceedings of that body on a late resolution of the General Assembly, which was read, and ordered to lie on the table.

*Ordered*, That Mr. Pickett have leave to be absent from the service of this House for the remainder of the session.

Mr. Mason presented, according to order, a bill "for saving the property of the church heretofore by law established to the members of the said church for ever;" and the same was received and read the first time, and ordered to be read a second time.

The Speaker laid before the House a letter from Meriwether Smith, Esq. suggesting that he hath farther information to communicate to the General Assembly respecting the situation of public affairs in Congress, which was read.

*Ordered*, That the said Meriwether Smith, Esq. be desired to attend this House to-morrow, for that purpose.

*Ordered*, That Messrs. Mason and Edmondson do acquaint Mr. Smith therewith.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills "to repeal so much of the act for the support of the clergy, and for the regular collecting and paying the parish levies," as relates to the payment of the salaries heretofore given to the clergy of the church of England;" "concerning tobacco fees;" and "concerning non-jurors;" being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, November 27, 1779.

A bill, "to indemnify William Campbell, Walter Crockett, and others, concerned in suppressing a late conspiracy," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

*Ordered*, That the proceedings on the communication from Meriwether Smith, Esq. respecting the state of public affairs in Congress, be deferred till Tuesday next.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate have agreed to the resolution for extending to certain officers and soldiers the bounty and other emoluments given by a late law. And then he withdrew.

An engrossed bill, "to amend the act concerning highways, mill-dams and bridges," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act to amend 'an act concerning highways, mill-dams and bridges.'"

*Ordered*, That Mr. Pendleton do carry the bill to the Senate and desire their concurrence.

*Ordered*, That Mr. Custis have leave to be absent from the service of this House for the remainder of the session, and Mr. Brent until Friday next.

Mr. Tazewell, according to the order of the day, reported, from the committee of the whole House, the amendments made to the bill "for incorporating the town of Alexandria, in the county of Fairfax;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Mason presented, according to order, a bill "to prevent the misapplication of the money collected for taxes;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "for saving the property of the church heretofore by law established to the members of the said church for ever," was read the second time, and ordered to be committed to a committee of the whole House, on Monday next.

*Ordered*, That leave be given to bring in a bill "for settling the rate of exchange and mode of judgments on foreign debts;" and that Mr. Mason do prepare and bring in the same.

A bill, "to prevent the misapplication of the money collected for taxes," was read the second time, and ordered to be committed to a committee of the whole House, on Monday next.

Mr. Mason presented, according to order, a bill "for settling the rate of exchange and mode of judgments on foreign debts;" and the same was received and read the first time, and ordered to be read a second time.

The House proceeded to consider the amendments of the Senate, to the bill "for the better support of the delegates to Congress, and for other purposes;" and the same being read, some were amended and agreed to, and others disagreed to.

*Ordered*, That General Nelson do acquaint the Senate therewith.

Mr. Mason reported, from the committee of Ways and Means, that the committee, previous to the adoption of the immediate purposes of their appointment, had proceeded on the subject of certain necessary economical regulations, and had agreed to a report thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

*Resolved*, That all claims on account of necessities furnished to the widows of soldiers of this State, who have been slain or died in the service of the United States, or who have died in the service of this State, which became due since the passing of the act, entitled "an act, for establishing a Board of Auditors for public accounts," and for which, payment has not yet been made by the public, be referred to the committee of Trade; and that the said committee do report each case specially to the House, together with their opinion thereupon.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for establishing Courts of Assize;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Munford reported, that the committee had, according to order, had the said bill under their farther consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report, when the House should think proper to receive the same.

*Ordered*, That the said report be received on Tuesday next.

*Ordered*, That Messrs. Cabell, Sherwin and Crockett, be added to the committee appointed to examine the treasurer's accounts.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

#### MONDAY, November 29, 1779.

A member, returned on a new writ, having taken the oaths appointed by law, took his seat in the House.

A bill, "for settling the rate of exchange, and mode of judgments on foreign debts," was read the second time.

A motion was made, and the question being put, that the said bill be committed,

It passed in the negative.

A motion was made, and the question being put, that the said bill be engrossed, and read the third time,

It passed in the negative.

*Resolved*, That it be rejected.

An engrossed bill, "for incorporating the town of Alexandria, in the county of Fairfax," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for incorporating the town of Alexandria, in the county of Fairfax, and the town of Winchester in the county of Frederick."

*Ordered*, That Mr. Tazewell do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to prevent the misapplication of the money collected for taxes;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

Mr. Carrington presented, from the committee for Religion, according to order, a bill, "to amend an act, concerning marriages;" and the same was received; and read the first time.

A motion was made, and the question being put, that the said bill be read a second time,

It passed in the negative.

*Resolved*, That the bill be rejected.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the state of the Commonwealth under their consideration, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to, as followeth:

*Resolved*, that it is the opinion of this committee, That the civil and military establishments of the Illinois ought to be augmented and supported, and that the Governor be empowered to procure a credit in New Orleans for that purpose; and that this House will make good, and provide proper funds for the fulfilling any engagements, that be, with the advice of the Council, may enter into, to answer that desirable end.

*Ordered*, That Messrs. General Nelson, Mason, Zachariah Johnson, Baker, Zane and Smith, do prepare and bring in a bill or bills, pursuant to the said resolution.



*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the state of the Commonwealth.

*Ordered*, That Messrs. Strother, Smith, Baker, Burwell, Rose and Crockett, be added to the committee to whom the bill "concerning certain claims to waste and unappropriated lands," was committed.

The orders of the day, for the House to resolve itself into a committee of the whole House on the bill, "for the dissolution of vestries;" and also on the bill, "for ascertaining the loss, and requiring retribution for the depredations of the enemy on private property;" being read,

*Ordered*, That the same be put off till Wednesday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the bills, "to repeal so much of the act for the support of the clergy, and for the regular collecting and paying the parish levies," as relates to the payment of the salaries heretofore given to the clergy of the church of England; "concerning tobacco fees;" "concerning non-jurors;" and "for saving the property of the church heretofore by law established to the members of the said church forever;" being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, November 30, 1779.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Munford reported, that the committee had, according to order, had the state of the Commonwealth under their consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to, as followeth:

*Resolved*, That no privates belonging to the infantry of this State, shall be disbanded; but that there shall be a reduction of supernumerary officers, and of the number of corps.

*Resolved*, That Major Nelson's corps of horse, be reduced to three troops, and that those three troops be completed.

*Resolved*, That the artillery State regiment be completed and continued.

*Resolved*, That the garrison State regiment be completed and continued.

*Resolved*, That so many of the troops as are already recruited, or which shall be recruited, under the act of the last session of Assembly for raising a body of troops for the defence of the Commonwealth, which were intended for the Eastern service, be draughted into, and incorporated with the said regiments, completing the garrison regiment first, and then completing the artillery regiment, as far as the enlistments extend.

*Resolved*, That one only of the regiments, to be raised under the act of the last session of Assembly for raising a body of troops for the defence of the Commonwealth, be completed and kept up for the defence of the Western frontier, and that Colonel Slaughter's corps be considered as part of the said regiment, and applied to the completion thereof.

*Resolved*, That the number of vessels in the present navy of this State be reduced.

*Resolved*, That the ships Tartar and Dragon, and the galleys Henry, Manly, Hero, Page, Lewis and Safeguard, be no longer retained as a part of the Virginia navy; and that the executive be directed to dispose or make use of them to the best advantage for the service of the Commonwealth, reserving such of their guns and other materials as they shall judge useful.

*Resolved*, That the ship Thetis, the brig Jefferson, the Accomac and Diligence galleys, and the Liberty and Patriot boats, be retained in the Virginia navy; and that the Gloucester be also retained as a prison ship.

*Resolved*, That the ship Tempest be retained until the Thetis be ready for sea, and then be disposed of, or employed as a merchantman in the service of this Commonwealth, as the executive may judge expedient.

*Resolved*, That a third boat, such as the Liberty or Patriot, to serve as a look out boat, be procured.

*Resolved*, That all persons within this State, possessing themselves of arms, horses, cattle, or other property belonging to the United States, ought to be compelled to deliver them to the continental officers on demand, or in case no demand is made in a limited time, to the executive, or the nearest public agent.

*Resolved*, That all drivers of wagons in continental service ought to be exempt from militia duty, during their continuance in the said service.

*Resolved*, That all Consuls, being foreigners, residing within this State, from any kingdom or state, ought to be considered as subjects of the kingdom or state to which they respectively belong, and to be entitled to the protection of the law of nations; to have power to hear and determine all disputes between the merchants and traders of their respective nations; to be exempt from all personal service required from the subjects of this State, and to have necessary liberty to perform the duties of their office.

*Resolved*, That proper regulations ought to be provided by law for the better government of sailors belonging to foreign vessels of war and merchant vessels trading to this State.

*Ordered*, That a bill or bills, be brought in pursuant to the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th and

11th resolutions; and that Messrs. Munford, General Nelson, Mason, Zachariah Johnson, Baker, Tazewell, James Taylor, and Newton, do prepare and bring in the same.

*Ordered*, That a bill or bills, be brought in pursuant to the 12th, 13th, 14th and 15th resolutions; and that Messrs. Munford, Baker, Tazewell, Mason, and John Taylor, do prepare and bring in the same.

*Resolved*, That this House will, again to-morrow, resolve itself into a committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate do insist on their first and second amendments, and disagree to the amendment to their third amendment to the bill “for the better support of the delegates to Congress, and for other purposes.” They have also agreed to the bill “for the relief of Christopher Godwin,” with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The orders of the day, for the House to resolve itself into a committee of the whole House on the bill “to repeal so much of the act, ‘for the support of the clergy, and ‘for the regular collecting and paying the parish levies, as relates to the payment of the salaries heretofore given to the clergy of the church of England,” being read,

*Ordered*, That the same be put off till Thursday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the bills “concerning tobacco fees;” “concerning non-jurors;” and “for saving the property of the church, heretofore by law established, to the members of the said church, forever,” being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That the reports from the committee of the whole House on the bills “for establishing Courts of Assize;” and “to prevent the misapplication of the money collected for taxes,” be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o’clock.

### WEDNESDAY, December 1, 1779.

The House proceeded to consider the amendments of the Senate, which were disagreed to by this House, and insisted on by the Senate, to the bill “for the better support of the delegates to Congress, and for other purposes;” and the same being read,

*Resolved*, That this House doth insist on their disagreement to the first and second amendments of the Senate to the said bill, and doth also insist on their amendment to the third amendment of the Senate to the said bill.

*Ordered*, That Mr. Mason do acquaint the Senate therewith.

*Ordered*, That a message be sent to the Senate, desiring a free conference with them upon the subject matter of the said amendments, and that Mr. Mason do carry the said message.

*Resolved*, That Messrs. Mason, Munford, Baker and John Taylor, do manage the conference.

The House proceeded to consider the amendment of the Senate to the bill “for the relief of Christopher Godwin;” and the same being read, was disagreed to.

*Ordered*, That General Nelson do acquaint the Senate therewith.

The House proceeded to consider the amendments of the Senate to the bill “to amend an act, ‘concerning cheats and forfeitures from British subjects;” and the same being read, some were agreed to, others amended and agreed to, and others disagreed to.

*Ordered*, That Mr. Munford do acquaint the Senate therewith.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate have agreed to the bill “for more effectually securing to the officers and soldiers of the Virginia line the lands reserved to them, for discouraging present settlements on the north west side of the Ohio river, and for punishing persons attempting to prevent the execution of land office warrants,” with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment, and the same being read was agreed to.

*Ordered*, That General Nelson do acquaint the Senate therewith.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate do insist on their amendment, disagreed to by this House, to the bill “for the relief of Christopher Godwin.” And then he withdrew.

*Resolved*, That this House doth recede from their disagreement to the said amendment.

*Ordered*, That General Nelson do acquaint the Senate therewith.

Mr. Lee reported, from the committee of Trade, to whom the claims of sundry persons for necessities furnished the widows of soldiers of this State, who have been slain or died in the service of the United States, or who have died in the service of this State, which became due since the passing of the act, entitled “an act for establishing a Board of Auditors for public accounts,” and for which payment has not yet been made by the public, were referred, that the committee had, according to order, had the same under their consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee, That the claims of the following persons are reasonable; and that there ought to be allowed and paid to them by the public their respective claims, as followeth, to wit: To William Pollard, for boarding the widow and children of Reuben Nevil, a soldier who died in the continental service, from the 3d day of August, 1778, to the 27th of September following, they being at that time in a bad state of health; which claim was approved of and certified by the court of Amherst county, 11l. To Hugh Rose, for provisions furnished by him, previous to the 20th of March, 1779, for the use of Mary Burnett, widow of John Burnett, a soldier who died in the continental service, which claim was approved of and certified by the court of Amherst county, 30l. 10s. To John Layne, for 100 lbs. of bacon at 10s. per pound, 50l., and the milk of two cows from the 20th of March, 1779, to the 1st of June following, 5l. for the use of the said Mary Burnett, furnished by the said Layne at the request of Hugh Rose, who was appointed by the court of Amherst county to provide for the said Burnett; which claim was proved before William Cabell, gentleman, as appears by his certificate, 55l. To James Thomas, for four barrels of corn, at 11l. per barrel, furnished by order of Culpeper county court, for the use of Elizabeth Maddox, whose husband died in the service of this State, 44l. To Hezekiah Brown, for 150 lbs. bacon, at 9s. per pound, and four barrels of corn, at 12l. 10s. per barrel, furnished by order of Culpeper county court, for the use of Catharine Garriott, whose husband died in the service of the State, 117l. 10s. To William Brown, for 137 lbs. bacon at 10s. 8d. per pound, furnished by order of Culpeper county court, for the use of the widow of Burrass Moore, who died in the continental service, 73l. 1s. 4d.*

*Ordered, That Mr. Lee do carry the resolutions to the Senate, and desire their concurrence.*

The order of the day, for the House to resolve itself into a committee of the whole House on the bill, "for the dissolution of vestries," being read,

*Ordered, That the same be put off till Friday next.*

The order of the day, for the House to resolve itself into a committee of the whole House on the bill, "for ascertaining the loss, and requiring retribution for the depredations of the enemy on private property," being read,

A motion was made, and the question being put, that the same be put off till the first day of March next, It was resolved in the affirmative.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and also on the bills "concerning tobacco fees;" "concerning non-jurors;" and for saving the property of the church heretofore by law established to the members of the said church forever," being read,

*Ordered, That the same be put off till to-morrow.*

*Ordered, That the reports from the committee of the whole House on the bills "for establishing Courts of Assize," and "to prevent the misapplication of the money collected for taxes," be put off till to-morrow.*

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, December 2, 1779.

*Ordered, That the committee of Propositions and Grievances, to whom the bill, "to amend the act, for reviving several public warehouses for the inspection of tobacco" was committed, do receive a clause or clauses, for reviving the inspections at Warwick, in the county of Chesterfield, and at Portsmouth, in the county of Norfolk.*

A member, returned on a new writ, having taken the oaths appointed by law, took his seat in the House.

Mr. Munford presented, according to order, a bill, "to regulate and ascertain the number of land forces to be kept up for the defence of the State;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Munford presented, according to order, a bill, "to regulate the navy of this Commonwealth;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Munford presented, according to order, a bill "for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Munford presented, according to order, a bill, "for the recovery of arms, cattle, or horses, belonging to the United States;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Munford presented, according to order, a bill, "to exempt the drivers of wagons in the continental service from militia duty;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Munford reported, from the committee of Ways and Means, that the committee had taken under their consideration the requisition from Congress, and the ways and means necessary to be adopted as adequate to this supply, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and ordered to be committed to the committee of the whole House on the state of the Commonwealth.

A bill, "to regulate and ascertain the number of land forces to be kept up for the defence of the State" was read the second time, and ordered to be committed to a committee of the whole House to-morrow.

A bill, "to regulate the navy of this Commonwealth," was read the second time, and ordered to be committed to a committee of whole House to-morrow.



A bill, "for the recovery of arms, cattle, or horses, belonging to the United States, was read the second time, and ordered to be committed to a committee of the whole House, on Saturday next.

A bill, "to exempt the drivers of wagons in the continental service from militia duty," was read the second time, and ordered to be engrossed and read the third time.

A bill, "for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America" was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "concerning tobacco fees;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Henry reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the said bill.

The House, according to the order of the day, resolved itself into a committee of the whole House on the bill, "concerning non-jurors;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Henry reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolution for allowing the claims of sundry persons for necessities furnished the families of certain soldiers. They have also agreed to the bill, "to amend an act concerning highways, mill-dams, and bridges," with several amendments; to which they desire the concurrence of this House; and to the bill, "for incorporating the town of Alexandria, in the county of Fairfax, and the town of Winchester in the county of Frederick," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

*Ordered*, That Mr. McKee, have leave to be absent from the service of this House for the remainder of the session. The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and also on the bills, "to repeal so much of the act for the support of the clergy, and for the regular collecting and paying the parish levies," as relates to the payment of the salaries heretofore given to the clergy of the church of England, and "for saving the property of the church heretofore by law established to the members of the said church forever," being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That the reports from the committee of the whole House, on the bills, "for establishing Courts of Assize," and "to prevent the misapplication of the money collected for taxes," be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, December 3, 1779.

An engrossed bill, "to exempt the drivers of wagons in the continental service from militia duty," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to exempt the drivers of wagons in the continental service from militia duty."

*Ordered*, That Mr. Munford do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to the resolution for empowering the Board of War to appoint an assistant clerk. And then he withdrew.

An engrossed bill, "concerning non-jurors," was read the third time, and the question being put, that the same do pass,

It was resolved in the affirmative.

Ayes 44

Noes 42.

*Ordered*, That the names of the members, who voted on each side of the question, be entered on the the Journal.

The names of the members who voted in the affirmative are, the Hon. Mr. Speaker, James Henry, Nicholas Lewis, Sannel Sherwin, James Pride, John Rose, Zachariah Johnson, John Cunningham, John Talbot, Moses Hunter, Joseph Peebles, Anthony Winston, John Taylor, Jerman Baker, George Carrington, George Weatherall, John Tabb, John Edmondson, George Mason, Charles Chilton, John Smith, Isaac Zane, John Fox, Stephen Sampson, John Hopkins, William Hutchinson, William A. Booth, John Pendleton, Peter Saunders, William Norvell, John Washington, Josiah Clapham, Robert Anderson, Walter Crockett, James Taylor, William Moore, Charles Porter, Littlebury Mosby, John Hooe, Alexander Stuart, John Tipton, James Garrard, James Innes and Henry Tazewell.

The names of the members who voted in the negative are, Nicholas Cabell, George Skillering, Joseph Curd,

Thomas Lomax, John Tyler, John Watkins, Beverley Randolph, French Strother, Joseph Jones, William Henry, John Whiting, Thomas Coleman, Garland Anderson, Nathaniel Wilkinson, John Powell, Harry Gaines, William Rowe, John Skinker, Holt Richeson, William Ball, James W. Ball, Thomas Johnson, James Johnson, Samuel Goode, Robert Munford, William Doah, George B. Poindexter, Thomas Newton, Benjamin Lankford, John Wilson, William Bibb, Thomas Flournoy, James Field, Robert W. Carter, John Gratton, John Brown, Gray Judkins, Richard Lee, William Reynolds, Cole Digges and John Hutchings.

A message from the Senate by Mr. Griffin :

MR. SPEAKER,—The Senate have agreed to the free conference desired by this House, on the subject matter of their amendments to the bill “for the better support of the delegates to Congress, and for other purposes.” And then he withdrew.

A message from the Senate by Mr. Lee :

MR. SPEAKER,—The Senate doth recede from their fourth amendment to the bill, “to amend the act, ‘concerning escheats and forfeitures from British subjects.’” They do agree to the amendment to their third amendment, and insist on all their other amendments, disagreed to by this House to the said bill. And then he withdrew.

Ordered, That a message be sent to the Senate to inform them that this House are about to proceed on the farther communication from Meriwether Smith, Esq., respecting the state of public affairs in Congress, and to invite them to take seats therein during the same, and that Mr. Edmondson do carry the said message.

The House then proceeded, in presence of the Senate, on the communication from Meriwether Smith, Esq. respecting the state of public affairs in Congress; and having gone through the same, the Senate and the said Meriwether Smith, Esq. withdrew.

Mr. Carrington reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petition of Mary Camp, and a representation of the Board of War, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, That the petition of Mary Camp; setting forth, that in the year 1776, a magazine was erected on lands, rented by her, for which she hath paid rent several years, on a place where she was clearing a corn field; and that her wood hath been burned and destroyed by the guards at the said magazine, and praying compensation therefor, is reasonable; and that the petitioner ought to be allowed the sum of 300*l*.

*Resolved*, That the representation of the Board of War, recommending the continuance of the works at Westham, is well founded, and that the foundery at Westham, ought to be continued and carried on.

*Resolved*, That the executive be empowered to purchase as many laboring slaves and tradesmen as they shall deem necessary, for carrying on the foundery at Westham; and if a sufficient number cannot be purchased, to make good the deficiency by hiring.

*Resolved*, That the executive, be desired to carry into execution the contract entered into by the late Governor with David Ross, for supplying the foundery with 250 ton of pig iron.

Ordered, That Mr. Carrington do carry the resolutions to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee of the whole House on the bill, “for the dissolution of vestries,” being read,

Ordered, That the same be put off till Tuesday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the bills “to repeal so much of the act, for the support of the clergy,” and “for the regular collecting and paying the parish levies,” as relates to the payment of the salaries heretofore given to the clergy of the church of England, and “for saving the property of the church heretofore by law established to the members of the said church forever,” being read,

Ordered, That the same be put off till Tuesday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and also on the bills “to regulate and ascertain the number of land forces to be kept up for the defence of the State,” “To regulate the navy of this Commonwealth,” and “for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America,” being read,

Ordered, That the same be put off till to-morrow.

Ordered, That the reports from the committee of the whole House on the bills “for establishing Courts of Assize,” and “to prevent the misapplication of the money collected for taxes,” be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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SATURDAY, December 4, 1779.

Mr. Henry presented, according to order, a bill “to explain and amend the act of the present session of Assembly, for dividing the parish of Drysdale, in the counties of King and Queen and Caroline;” and the same was received and read the first time, and ordered to be read a second time.

Mr. Pendleton presented, according to order, a bill “concerning justices of the peace;” and the same was received and read the first time, and ordered to be read a second time.

The House proceeded to consider the amendments of the Senate, to the bill "to amend the act, 'concerning highways, mill-dams, and bridges,'" and the same being read, were agreed to.

*Ordered*, That Mr. Ball do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for the recovery of arms, cattle, or horses, belonging to the United States;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Henry reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House, on the said bill.

A bill, "to explain and amend the act of the present session of Assembly, for dividing the parish of Drysdale, in the counties of King and Queen and Caroline;" was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "concerning justices of the peace," was read the second time, and ordered to be committed to a committee of the whole House, on Tuesday next.

The Speaker laid before the House, a letter from Cyrus Griffin, Esq., one of the delegates of this Commonwealth in Congress, respecting some late requisitions of that body; and the same was read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

*Resolved*, That the Rev. James Madison, chaplain to this House, be desired to preach a sermon on Thursday next, being the day recommended by Congress, to be observed as a day of solemn thanksgiving and prayer.

The House proceeded to consider the amendments of the Senate disagreed to by this House, and insisted on by the Senate, to the bill, "to amend an act, concerning escheats and forfeitures from British subjects," and the same being read,

*Resolved*, That this House doth recede from their disagreement to the amendments insisted on by the Senate, to the said bill, and doth agree to the said amendments, with amendments.

*Ordered*, That Mr. Tazewell do acquaint the Senate therewith.

The House proceeded to consider the amendments of the Senate, to the bill "for incorporating the town of Alexandria, in the county of Fairfax, and the town of Winchester, in the county of Frederick;" and the same being read, were agreed to, with amendments.

*Ordered*, That Gen. Nelson do acquaint the Senate therewith.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, and also on the bills "to regulate and ascertain the number of land forces to be kept up for the defence of the State;" "to regulate the navy of this Commonwealth;" and "for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America," being read,

*Ordered*, That the same be put off till Monday next.

*Ordered*, That the reports from the committee of the whole House, on the bills "for establishing Courts of Assize," and "to prevent the misapplication of the money collected for taxes," be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

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### MONDAY, December 6, 1779.

The Speaker laid before the House a letter from Warner Lewis, jun. Esq. a member of the Privy Council or Council of State, containing his resignation of that appointment; and the same was read and ordered to lie on the table.

A petition of Richard Taylor, was presented to the House, and read; setting forth, that whilst discharging his duty as an officer in the navy of this Commonwealth, he received a dangerous wound in his thigh, under which he has languished for a considerable time, and incurred great expenses to obtain the cure thereof, which is not yet done; and praying to be reimbursed his expenses therein.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Munford reported, from the committee of the whole House, the amendments made to the bill "for establishing Courts of Assize;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Munford reported, from the committee appointed to inspect the enrolled bills, that the committee had, according to order, examined several others, and found them to be truly enrolled.

*Ordered*, That Mr. Munford do carry the bills to the Senate, for their inspection.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the state of the Commonwealth under their consideration, and had



come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth:

*Resolved*, That the General Assembly approve the answer given by the Governor and Council to the memorial of Mr. De Francey, respecting the balance due to Mr. De Beaumarchais, on the cargo of the Fier Roderique, purchased for the use of the Commonwealth; they are truly sensible of the merits of Mr. De Beaumarchais, and of the services he has rendered the United States, and will be ready on all proper occasions to testify their regard for him, but the present subject being a matter merely mercantile, they cannot, consistently with the duty they owe their constituents, consent to the demands made by his agent, being perfectly satisfied, that the goods were bought at the highest price given at that time on the continent. The agent here ever had it in his power to dispose of the balance in the purchase of tobacco, and thereby not only save his employer from loss, but in reality to have gained him great profit, and his not doing it appears to have arisen from the prospect he entertained of gaining by delay; but if this matter was totally out of the question, the complying with the memorial would probably bring the Commonwealth into great distress, by fixing a precedent, which might be brought against it in future, for making good the depreciation of money to all public creditors, but more especially to those who have placed their money in the loan office, and may think fit to call it out; yet notwithstanding these objections to the demand in general, the Assembly, ever willing to do justice, have no objection to the executive's reconsidering the account, and if they shall be of opinion that the alteration of the contract respecting the five hundred hogsheads of tobacco, delivered at Alexandria, has really been attended with loss to Mr. De Beaumarchais, that they give credit in the account for the sum lost, and that they give credit also for the sum charged on the article of cards short delivered. The price demanded for the cannon left by the Fier Roderique on the beach of York, is so amazingly above what was ever heard of before, that the Assembly could by no means advise the executive to be concerned with them, even if their demands for them, were much greater than they at present are. The executive may form a just estimate of the value of cannon by adverting to the price given by his Excellency Doctor Franklin for those shipped by him for the use of the continent, which were delivered in America by ships freighted for that purpose at a pound and an half of tobacco for every pound weight of cannon.

*Ordered*, That Mr. Tazewell do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the state of the Commonwealth.

A message from the Senate by Mr. Griffin:

MR. SPEAKER,—The Senate have inspected several other enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

The Speaker then signed the following enrolled bills: "An act to suppress excessive gaming." "An act to confirm certain sales and leases made by the trustees of the town of Alexandria, and to enlarge the said town." "An act, entitled 'an act to increase the salaries of the clerk's to the auditors of public accounts.'" "An act for laying an embargo on salt, and for other purposes." "An act for the manumission of certain slaves." "An act to empower the treasurer to receive certain certificates." "An act to encourage the importation of salt." "An act for amending an act, entitled 'an act for appointing the place for holding the High Court of Chancery and General Court, and empowering the said High Court of Chancery to appoint their own serjeant at arms.'" "An act to empower the judges of the General Court to superintend and regulate the public jail." "An act to revive an act, entitled 'an act to amend an act, 'for preventing forestalling, regrating, engrossing and public vendues.'" "An act concerning a lead mine, the property of John and Meade Anderson."

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the dissolution of vestries;" being read,

*Ordered*, That the same be put off till Wednesday next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills "concerning tobacco fees;" "for the recovery of arms, cattle, or horses, belonging to the United States;" "to regulate and ascertain number of land forces to be kept up for the defence of the State;" "to regulate the navy of this Commonwealth;" and "for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America;" being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That the report from the committee of the whole House, on the bill "to prevent the misapplication of the money collected for taxes," be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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## TUESDAY, December 7, 1779.

The House being informed, that Mr. William Harvie, one of the members for the county of Middlesex, attended in custody of the serjeant at arms,

*Ordered*, That the said William Harvie be discharged out of custody, paying fees.

Mr. Carrington reported, from the committee of Propositions and Grievances, to whom the bill "to explain and amend the act of the present session of Assembly, 'for dividing the parish of Drysdale, in the counties of King and

Queen and Caroline;" was committed, that the committee had, according to order, had the said bill under their consideration, and made no amendment thereto.

*Ordered*, That the said bill be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the state of the Commonwealth under their consideration, and made a farther progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the state of the Commonwealth.

The Speaker laid before the House a letter from George Lyne, Esq. a member of the Board of War; and the same was read,

A motion was made, and the question being put, that the said letter be thrown under the table,

It was resolved in the affirmative.

The Speaker laid before the House a letter from the Governor, stating several matters for the consideration of the House, and enclosing several resolutions of Congress, and other papers on the subject thereof; and the same were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

The order of the day, for the House to resolve itself into a committee of the whole House on the bill "concerning justices of the peace," being read,

*Ordered*, That the same be put off till to-morrow.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills "to repeal so much of the act for the support of the clergy, and for the regular collecting and paying the parish levies, as relates to the payment of the salaries heretofore given to the clergy of the church of England;" "for saving the property of the church heretofore by law established to the members of the said church forever;" "concerning tobacco fees;" "for the recovery of arms, horses, or cattle belonging to the United States;" "to regulate and ascertain the number of land forces to be kept up for the defence of the State;" "to regulate the navy of this Commonwealth;" and "for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America;" being read,

*Ordered*, That the same be put off till Friday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, December 8, 1779.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate doth recede from their first and second amendments to the bill "for the better support of the delegates to Congress, and for other purposes," and adhere to their disagreement to the amendment to their third amendment to the same bill. They have also agreed to the resolutions respecting the canal and public foundry at Westham; and for empowering the executive to perform a contract with David Ross. And then he withdrew.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the amendments to their eleventh amendment to the bill "for incorporating the town of Alexandria, in the county of Fairfax, and the town of Winchester, in the county of Frederick." They also agree to the amendment, to their fifth amendment, to the bill "to amend the act, concerning escheats and forfeitures from British subjects," with an amendment; to which they desire the concurrence of this House. And then he withdrew.

The amendment to the amendment to the amendment was read, and agreed to by the House.

*Ordered*, That Mr. Baker do acquaint the Senate therewith.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to the resolution respecting the memorial of Mr. De Francey. And then he withdrew.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their farther consideration, the representation of the Board of War, relative to the public foundry at Westham; and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House as followeth:

*Resolved*, That the executive be empowered to contract for clothing, provision, and other necessaries, for the slaves and tradesmen employed in carrying on the foundry at Westham.

*Resolved*, That the expense of clothing for the last year, the wages of workmen, and of the public agent for the last and the succeeding year, with all incidental charges, be defrayed by the public; that the auditors liquidate the accounts thereof, and give their warrant to the treasurer for payment.

*Resolved*, That John Reeveley for his trouble the last year, as manager of the foundry, be paid the sum of



twelve hundred pounds; and that he be allowed his reasonable expenses for attending the Assembly and Public Boards, with other travelling charges; and that he be continued manager of the said foundry for the succeeding year.

*Resolved*, That the justices of Henrico county court be empowered and required to appoint viewers to view and examine the nearest and best way for opening a new road from the foundry to Belvidera gate; and direct the said viewers to report the difference of distance and other material circumstances between the present and the proposed new road; and that the said court issue a writ in the nature of a writ of *ad quod damnum*, directing the sheriff of the county to summon and empanel a jury to value and ascertain the damages which any private person or persons may sustain by opening such road; and that the whole proceedings thereupon, be returned to the next session of Assembly.

A message from the Senate by Mr. Coles:

MR. SPEAKER.—The Senate have agreed to the bill, “to exempt the drivers of wagons in the continental service from militia duty.” And then he withdrew.

An engrossed bill, “to explain and amend the act of the present session of Assembly, for dividing the parish of Drysdale, in the counties of King and Queen and Caroline,” was read the third time.

*Resolved*, That the bill do pass, and that the title be, “an act to explain and amend the act of the present session of Assembly, for dividing the parish of Drysdale, in the counties of King and Queen and Caroline.”

*Ordered*, That Mr. Edmondson do carry the bill to the Senate, and desire their concurrence.

The House proceeded to consider the amendment disagreed to by the Senate to their amendment to the bill “for the better support of the delegates to Congress, and for other purposes;” and the same being read,

*Resolved*, That this House doth recede therefrom.

*Ordered*, That Mr. Edmondson do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Gen. Nelson reported, that the committee had, according to order, had the state of the Commonwealth under their farther consideration, and had come to several resolutions thereupon, which they had directed him to report, when the House should think proper to receive the same.

*Ordered*, That the said report be received on Friday next.

*Resolved*, That this House will, on Friday next, again resolve itself into a committee of the whole House on the state of the Commonwealth.

The Speaker laid before the House, a letter from the Governor, enclosing a letter and memorial from the Chevalier D’Annours, Consul of France, for his Most Christian Majesty in the States of Virginia and Maryland; and the same were read, and ordered to be referred to the committee of the whole House, on the bill “for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America.”

*Resolved*, That a committee of seven members be appointed, to inquire into the manner of issuing clothes and other necessaries, by the clothier general and store-keepers of the public stores, and the conduct of the respective officers therein; that they be empowered to call for information from any of the Public Boards, and to send for persons or papers; and that they report their proceedings thereupon, to the House.

And a committee was appointed, of Messrs. Baker, Strother, Zane, Smith, James Taylor, Parker and Reynolds.

The order of the day, for the House to resolve itself into a committee of the whole House on the bill “for the dissolution of vestries,” being read,

*Ordered*, That the same be put off till Monday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill “concerning justices of the peace,” being read,

*Ordered*, That the same be put off till Friday next.

*Ordered*, That the report from the committee of the whole House, on the bill “to prevent the misapplication of the money collected for taxes,” be put off till Friday next.

And then the House adjourned till Friday next, 10 o’clock.

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#### FRIDAY, December 10, 1779.

An engrossed bill, “for establishing Courts of Assize,” was read the third time, and the blanks therein filled up; and the question being put, that the same do pass,

It passed in the negative.

*Resolved*, That the bill be rejected.

Mr. Munford reported, from the committee so whom the petition of John May was referred, that the committee had, according to order, had that part of the same which respects his ex-officio and public services, under their consideration, and had agreed to a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again read, and are as followeth:

It appears to your committee, that the said John May hath acted as clerk of the present General Court ever since the establishment thereof, on the first day of March 1778; during which time, there has been a great increase of ex-officio and public services, there having been from twenty-five to near fifty criminals for trial at a court, which servi-



ces have been performed by the said John May, without any fee or reward from the public. It farther appears, that under the former government, there was annually levied for such services for the clerk of the General Court in the public levy, ten thousand pounds of tobacco, which was paid him in tobacco; that he was paid by the Council five pounds sterling for each of the June and December courts of Oyer and Terminer; and that from the year 1771, till the late revolution in government, there were from ten to seventeen criminals for trial at a court. It farther appears to your committee, that there is a considerable quantity of writing paper consumed during the sitting of the General Courts in dockets for the judges and other public purposes; that the court had directed the said John May to apply at the public store for one ream of paper for such uses as each of the March and October sessions of the General Court; that he accordingly applied both to the keeper of the public store, and to the Governor and Council, who had refused such requisition: and that the said John May had, at his own expense, ever since his appointment to his said office, furnished such paper. It farther appears to your committee, that the public services of the clerk of the General Court have been greatly increased by the escheat and forfeiture business; and that no allowance has been made to him therefor.

*Resolved, therefore,* That the said John May for his said past ex-officio and public services, ought to be paid a salary equal to that of his predecessor, under the former government; and that the auditors do issue their warrant for the payment thereof on the treasurer; the tobacco to be discharged at the rate of ten pounds per hundred; and that for his services in the said Oyer Courts, the auditors do issue their warrant for the payment of two hundred and fifty pounds.

*Resolved,* That the keeper of the public store, do immediately furnish the said John May with one ream of writing paper, and that the clerk of the General Court, for the time being, be furnished with the like quantity, at every one of the October and March sessions of the General Court, on the public account.

*Resolved,* That the clerk of the General Court for the time being, be paid by the treasurer upon the auditor's warrant pounds of tobacco, for filing and recording every escheator's inquest, and the same pounds of tobacco, for every certificate for the Governor and Council, or for the escheators, of no claims being made to any estate.

The first and second resolutions being again read, were agreed to by the House.

The third resolution was read a second time, and agreed to by the House.

*Ordered,* That Mr. Munford do carry the first and second resolutions to the Senate, and desire their concurrence. General Nelson reported, according to order, the resolutions agreed to by the committee of the whole House on the state of the Commonwealth, and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, amended, and agreed to by the House, as followeth:

*Resolved,* That the several requisitions which have been made by Congress to this State, for supplies of money, ought to be complied with, and provision made for the same, in such manner, and by such ways and means as shall be best calculated for that purpose.

*Resolved,* That the sum of one million five hundred thousand pounds arising from the sales of the sequestered British estates, be applied to the payment of the requisitions made by Congress to this State.

*Resolved,* That a part of the taxes raised in the present year, amounting to the sum of one million five hundred thousand pounds, be applied to the payment of the requisitions made by Congress to this State.

*Resolved,* That the sum of six hundred thousand pounds, arising from the payment of the specific tax of the current year, be applied to the discharge of the requisitions made by Congress to this State.

*Resolved,* That a tax of six pounds per poll, be laid on all slaves above the age of twelve years, except such as are exempted on account of age or infirmities by the tax law of the last session of Assembly.

*Resolved,* That a tax of three pounds per poll, be laid on all the free male persons above the age of twenty-one years within this State, except the officers of the line or navy soldiers or sailors, engaged in the service of this Commonwealth or of the United States; and also those who have been or shall be exempted from the payment of levies by the county courts.

*Resolved,* That an additional tax of forty pounds, to be collected by the first day of March, be laid upon all coaches and chariots.

*Resolved,* That an additional tax of thirty pounds, to be collected by the first day of March, be laid on all phaetons, stage wagons, and four wheeled chaises.

*Resolved,* That an additional tax of ten pounds, to be collected by the first day of March next, be laid upon every two wheeled chair.

*Resolved,* That an additional tax of forty pounds, to be collected by the first day of March next, be laid upon all ordinary licenses.

*Resolved,* That a tax of ten shillings per gallon, be imposed on all rum or brandy brought or imported into this State.

*Resolved,* That a tax of sixpence, be imposed on every pound of brown sugar brought or imported into this State.

*Resolved,* That a tax of one shilling, be imposed on every pound of coffee brought or imported into this State.

*Resolved,* That a tax of eight shillings, be laid on every gallon of rum or brandy distilled within this State.

*Resolved,* That a tax of six shillings, be imposed on every gallon of spirits distilled from grain within this State.

*Ordered,* That a bill or bills, be brought in pursuant to the said resolutions, and that the committee of Ways and Means, do prepare and bring in the same.

Mr. Mason reported, from the committee appointed to prepare a remonstrance to Congress on the subject of the

Indiana and Vandalia claims, and the proceedings of Congress thereupon, that the committee had, according to order, prepared a remonstrance, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, and is as followeth:

*The remonstrance of the General Assembly of Virginia to the delegates of the United American States in Congress assembled:*

The General Assembly of Virginia, ever attentive to the recommendations of Congress, and desirous to give the great Council of the United States every satisfaction in their power, consistent with the rights and constitution of their own Commonwealth, have enacted a law to prevent present settlements on the north west side of the Ohio river, and will on all occasions endeavor to manifest their attachment to the common interest of America, and their earnest wishes to remove every cause of jealousy, and promote that mutual confidence and harmony between the different States, so essential to their true interest and safety.

Strongly impressed with these sentiments, the General Assembly of Virginia cannot avoid expressing their surprise and concern upon the information that Congress had received and countenanced petitions from certain persons styling themselves the Vandalia and Indiana Companies, asserting claims to lands in defiance of the civil authority, jurisdiction, and laws of this Commonwealth, and offering to erect a separate government within the territory thereof. Should Congress assume a jurisdiction, and arrogate to themselves a right of adjudication, not only unwarranted by, but expressly contrary to, the fundamental principles of the confederation, superseding or controlling the internal policy, civil regulations, and municipal laws of this, or any other State, it would be a violation of public faith, introduce a most dangerous precedent, which might hereafter be urged to deprive of territory or subvert the sovereignty and government of any one or more of the United States, and establish in Congress a power which in process of time must degenerate into an intolerable despotism.

It is notorious that the Vandalia and Indiana Companies, are not the only claimers of large tracts of lands under titles repugnant to our laws; that several men of great influence in some of the neighboring States are concerned in partnerships with the Earl of Dunmore, and other subjects of the British King, who under purchases from the Indians, claim extensive tracts of country between the Ohio and Mississippi rivers, and that propositions have been made to Congress evidently calculated to secure and guarantee such purchases, so that under color of creating a common fund, had those propositions been adopted, the public would have been duped by the arts of individuals, and great part of the value of the unappropriated lands converted to private purposes.

Congress have lately described and ascertained the boundaries of these United States, as an *ultimatum* in their terms of peace. The United States hold no territory but in right of some one individual State in the Union: The territory of each State, from time immemorial, hath been fixed and determined by their respective charters; there being no other rule or criterion to judge by, should these in any instance (when there is no disputed territory between particular States) be abridged without the consent of the States affected by it, general confusion must ensue; each State would be subjected, in its turn, to the encroachments of the others, and a field opened for future wars and bloodshed; nor can any arguments be fairly urged to prove that any particular tract of country, within the limits claimed by Congress on behalf of the United States, is not part of the chartered territory of some one of them, but must militate with equal force against the right of the United States in general, and tend to prove such tract of country (if north west of the Ohio river) part of the British province of Canada.

When Virginia acceded to the articles of confederation, her rights of sovereignty and jurisdiction within her own territory were reserved and secured to her, and cannot now be infringed or altered, without her consent. She could have no latent views of extending that territory, because it had long before been expressly and clearly defined in the act which formed her new government. The General Assembly of Virginia have heretofore offered Congress to furnish lands out of their territory on the north west side of the Ohio river, without purchase money, to the troops on continental establishment of such of the confederated States as had not unappropriated lands for that purpose, in conjunction with the other States holding unappropriated lands, and in such proportion as should be adjusted and settled by Congress; which offer, when accepted, they will most cheerfully make good to the same extent with the provision made by law for their own troops, if Congress shall think fit to allow the like quantities of land to the other troops on continental establishment. But although the General Assembly of Virginia would make great sacrifices to the common interest of America (as they have already done on the subject of representation) and will be ready to listen to any just and reasonable propositions for removing the ostensible causes of delay to the complete ratification of the confederation, they find themselves impelled, by the duties which they owe to their constituents, to their posterity, to their country, and to the United States in general, to remonstrate and protest, and they do hereby, in the name and on behalf of the Commonwealth of Virginia, expressly protest against any jurisdiction or right of adjudication in Congress upon the petitions of the Vandalia and Indiana Companies, or on any other matter or thing subversive of the internal policy, civil government, or sovereignty of this or any other of the United American States, or unwarranted by the articles of the confederation.

The said remonstrance being read a second time,

*Resolved*, That the House doth agree with the committee therein.

*Ordered*, That Mr. Mason do carry the said remonstrance to the Senate, and desire their concurrence.

*Ordered*, That the committee appointed to inquire into the manner of issuing clothes and other necessities by the clothier general, and store-keepers of the public stores, be also empowered to inquire into the offices of the commissaries of purchases and issues of provision and forage, and the office of quarter master.



The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and also on the bills, "to repeal so much of the act 'for the support of the clergy, and for the regular collecting and paying the parish levies' as relates to the payment of the salaries heretofore given to the clergy of the church of England; "for saving the property of the church heretofore by law established to the members of the said church forever;" "concerning tobacco fees;" "for the recovery of arms, horses, or cattle belonging to the United States;" "to regulate and ascertain the number of land forces to be kept up for the defence of the State;" "to regulate the navy of this Commonwealth;" "for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America;" and "concerning justices of the peace," being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That the report from the committee of the whole House on the bill, "to prevent the misapplication of the money collected for taxes," be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### SATURDAY, December 11, 1779.

*Resolved*, That this House will, on Tuesday next, proceed by joint ballot with the Senate, to the choice of three delegates to represent this Commonwealth in General Congress until the first Monday in November next, in the room of the gentlemen who have resigned. And also to the choice of a member of the Privy Council or Council of State, in the room of Warner Lewis, jun. Esq. who hath resigned.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

Gen. Nelson reported, from the committee of Propositions and Grievances, to whom the bill "to indemnify William Campbell, Walter Crockett, and others, concerned in suppressing a late conspiracy," that the committee had, according to order, had the said bill under their consideration, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petition of John Fox, to them referred, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the said John Fox, praying that a ferry may be established from his land on the north west side of York river, in the county of Gloucester, to the place called Cappahosick, on the south side of the same river, is reasonable.

General Nelson reported, that the committee had also, according to order, had under their farther consideration the state of the public foundry at Westham, and agreed to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the Governor, with advice of the Council, do appoint a commissioner or commissioners, to adjust and settle the accounts of Richard Adams, Turner Southall and Nathaniel Wilkinson, Esquires, formerly managers and trustees for the Commonwealth in erecting the public foundry and works at Westham.

*Ordered*, That a bill or bills, be brought in pursuant to the first resolution; and that the committee of Propositions and Grievances do prepare and bring in the same.

*Ordered*, That Gen. Nelson do carry the second resolution to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to repeal so much of the act, 'for the support of the clergy, and for the regular collecting and paying the parish levies,' as relates to the salaries heretofore given to the clergy of the church of England; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

The Speaker laid before the House a letter from the Governor, enclosing one from the Governor of Pennsylvania, together with the proceedings of the General Assembly of that State, respecting the boundary line between the two States, and the same were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for saving the property of the church heretofore by law established to the members of the said church forever;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had,



according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will again resolve itself into a committee of the whole House, on the said bill, on the third day of March next.

The Speaker laid before the House a letter from the Governor, enclosing one from the Board of War, respecting the attempts of a band of speculators to create an artificial scarcity of grain; and the same were read, and ordered to be referred to the committee appointed to inquire into the conduct of certain officers in the clothier and commissaries departments.

Mr. Munford reported, from the committee appointed to inspect the enrolled bills, that the committee had, according to order, examined several others, and found them to be truly enrolled.

*Ordered*, That Mr. Munford do carry the bills to the Senate for their inspection.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration several petitions, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Alexander Willie, praying an allowance for his services as keeper of the capitol, and also to be continued in that office, is reasonable; and that the petitioner ought to be allowed the sum of 30*l*. for his services from the third day of September last to the end of the present session of Assembly.

*Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of William Graham and John Howe, praying to be allowed for the loss they sustained in the cargo on board the schooner General Washington, which was impressed by Major Matthews, on the late invasion, at Portsmouth, and employed in transporting military stores to a place of safety, be deferred till the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of Barnett Jeffries; setting forth, that having equipped himself at his own expense, in order to join General Nelson's troop in May last, his horse, in travelling to the place of rendezvous, suddenly died; and praying to be allowed the value of him, be rejected; it appearing that the death of the said horse was occasioned by excessive ill usage.

*Resolved*, that it is the opinion of this committee, That the petition of John Quarles, praying to be reimbursed the money paid by order of King William county court, for provisions furnished sundry soldiers' widows, since the passing of the act, entitled "an act, for establishing a Board of Auditors of Public Accounts," is reasonable; and that the petitioner ought to be allowed the sum of 230*l*. being the balance of his account, after deducting the allowance of twelve pounds made by the auditors for each of the following persons, to wit: Betty Edwards, Frances Crittendon, Molly Gaby, Nancy Cook, Sukey Langston, Sukey Frayles, Sarah Mush, Lucy Skipper, Nancy Sampson, Sarah Howard, Nanny Major, and Sarah Major, widows of soldiers of this State, who have been slain or died in the service of the United States, or died in the service of this State.

*Resolved*, that it is the opinion of this committee, That so much of the petition of Captain Richard Taylor, as prays to be allowed the expense he has incurred to surgeons for attendance, medicines, operations, dressings, &c. in consequence of a wound he received in his thigh in an engagement with an enemy privateer, under which he has languished for a considerable time, and still remains in a dangerous situation, is reasonable; and that the petitioner ought to be allowed the sum of 992*l*. 3*s*. being the amount of Doctor Wellford's account, from the 21st day of March last, to the first day of this month; also the farther sum of 122*l*. the amount of Doctor Tennent's account from the 29th of July to the 20th of November last.

*Resolved*, that it is the opinion of this committee, That such other part of the said petition, as prays he may be reimbursed his future expenses necessary for the preservation of his life, is reasonable.

*Ordered*, That Mr. Lee, do carry the 1st, 4th, 5th and 6th resolutions to the Senate, and desire their concurrence.

Mr. Mason reported, from the committee of Ways and Means, that the committee had taken under their farther consideration the requisitions of Congress, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the state of the Commonwealth under their consideration, and made a farther progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Taylor:

MR. SPEAKER,—The Senate have agreed to the bill, "to explain and amend the act of the present session of Assembly for dividing the parish of Drysdale, in the counties of King and Queen and Caroline." And then he withdrew.

*Ordered*, That the House be called over on Monday next.

A message from the Senate by Mr. Jones :

MR. SPEAKER,—The Senate have agreed to the resolution for proceeding, by joint ballot with this House, on Tuesday next, to the choice of three delegates to represent this State in Congress, and of a member of the Privy Council or Council of State. And then he withdrew.

A message from the Senate by Mr. Coles :

MR. SPEAKER,—The Senate have agreed to the resolutions for continuing the Public Foundry at Westham, liquidating the accounts thereof, and opening a road for the use of the same; they have also agreed to the resolution for appointing commissioners to settle the accounts of the trustees of the said Foundry. And then he withdrew.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills “concerning tobacco fees;” “for the recovery of arms, cattle, or horses belonging to the United States;” “to regulate and ascertain the number of land forces to be kept up for the defence of the State;” “to regulate the navy of this Commonwealth;” “for the protection and encouragement of the commerce of nations, acknowledging the independence of the United States of America;” and “concerning justices of the peace,” being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 9 o'clock.

### MONDAY, December 13, 1779.

A member, returned upon a new writ, having taken the oaths appointed by law, took his seat in the House.

An engrossed bill, “to indemnify William Campbell, Walter Crocket, and others, concerned in suppressing a late conspiracy,” was read the third time.

*Resolved*, That the bill do pass, and that the title be, “an act to indemnify William Campbell, Walter Crockett, and others, concerned in suppressing a late conspiracy.”

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.

The Speaker laid before the House a letter from Samuel Griffin, Esq. a member of the Board of War, containing his resignation of that appointment, which was read, and ordered to lie on the table.

An engrossed bill, “to repeal so much of the act for the support of the clergy, and for the regular collecting and paying the parish levies,” as relates to the payment of the salaries heretofore given to the clergy of the church of England, was read the third time.

*Resolved*, That the bill do pass, and that the title be, “an act to repeal so much of the act, for the support of the clergy, and for the regular collecting and paying the parish levies,” as relates to the payment of the salaries heretofore given to the clergy of the church of England.

*Ordered*, That Mr. Taxewell do carry the bill to the Senate, and desire their concurrence.

Mr. Munford presented, according to order, a bill, “for regulating and collecting certain officers fees, and for other purposes;” and the same was received and read the first time.

A motion was made, and the question being put, that the said bill be read a second time,

It passed in the negative.

*Resolved*, That the bill be rejected.

A message from the Senate by Mr. Coles :

MR. SPEAKER,—The Senate have inspected several other enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

The Speaker signed the following enrolled bills: “an act, to amend the act, entitled ‘an act concerning escheats and forfeitures from British subjects;’” “an act to exempt the drivers of wagons in the continental service from militia duty;” “an act for more effectually securing to the officers and soldiers of the Virginia line the lands reserved to them;” “for discouraging present settlements on the north west side of the Ohio river;” and “for punishing persons attempting to prevent the execution of land office warrants;” “an act for the better support of the delegates to Congress, and for other purposes;” “an act, for continuing an act, entitled ‘an act, to revive and amend an act, entitled ‘an act, to make provision for the support and maintenance of idiots, lunatics, and persons of unsound minds;’” “an act, for incorporating the town of Alexandria in the county of Fairfax, and the town of Winchester in the county of Frederick;” “an act, to amend an act, entitled ‘an act concerning highways, mill-dams and bridges;’” “an act, for the relief of Christopher Godwin.”

*Resolved*, That the delegates to Congress from this Commonwealth, be allowed their reasonable expenses for subsistence, during their attendance in Congress, from the 11th day of August, 1778, until the 7th instant; and the auditors are hereby authorised to settle the same, and issue their warrants for the payment thereof, deducting from their respective accounts the wages allowed to each of them.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

The Speaker laid before the House a letter from Meriwether Smith, Esq. one of the delegates of this Commonwealth in Congress, containing his resignation of that appointment, which was read, and ordered to lie on the table.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, an agreement entered into by the Governor and Council with Messrs. Pe-

ter Penet, Windel & Co. and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, That the said contract be referred to the consideration of the next session of Assembly, that full information may be had upon the practicability of carrying the same into execution.

*Resolved*, That the Governor and Council be empowered to purchase on account of the Commonwealth, certain lots in the town of Richmond, upon which an inquisition hath been returned against Ninian Minzies, a British subject, and grant the same for such limited time, not exceeding three years, as they shall think reasonable, unto the said Messrs. Penet, Windel & Co. for the purpose of erecting houses for the accommodation of their workmen, and a wooden shop where the said workmen may be employed in repairing arms for this State; one half of the expense of such buildings to be defrayed by this State, and the other half by the said Company; and that at the expiration of the term for which the said lots shall be granted to the said Company, as the same will then revert to the public, the buildings which shall have been erected thereon, at the joint charge of the State and Company, shall be valued, and one half the amount of such valuation refunded to the said Penet, Windel & Co.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of a delegate to represent this Commonwealth in Congress, in the room of Meriwether Smith, Esq. who hath resigned; and also to the choice of a member of the Board of War, in the room of Samuel Griffin Esq. who hath resigned.

*Ordered*, That General Nelson do acquaint the Senate therewith.

A message from the Senate by Mr. Jones:

MR. SPEAKER.—The Senate have agreed to the bill, "for establishing several new ferries, and for other purposes," with an amendment; to which they desire the concurrence of this House; they have also agreed to the bill "concerning non-jurors," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The amendment to the bill, "for establishing several new ferries, and for other purposes," was read, and disagreed to by the House.

*Ordered*, That General Nelson do acquaint the Senate therewith.

The amendments to the bill "concerning non-jurors," were read, and agreed to by the House.

*Ordered*, That Mr. Henry do acquaint the Senate therewith.

The House proceeded, to nominate persons proper to be ballotted for as delegates to represent this Commonwealth in Congress, in the room of the four gentlemen who have resigned; and as a member of the Privy Council or Council of State, in the room of Warner Lewis, jun. Esq., who hath resigned.

*Ordered*, That Gen. Nelson do carry a list of the persons so nominated to the Senate.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Gen. Nelson reported, that the committee had, according to order, had the state of the Commonwealth under their farther consideration, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the bills "for the dissolution of vestries;" "concerning tobacco fees;" "for the recovery of arms, cattle, or horses belonging to the United States;" "to regulate and ascertain the number of land forces to be kept up for the defence of the State;" "to regulate the navy of this Commonwealth;" "for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America;" and "concerning justices of the peace;" being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

TUESDAY, December 14, 1779.

A message from the Senate by Mr. Taylor:

MR. SPEAKER.—The Senate have agreed to the resolutions for making certain allowances to Mr. John May, clerk to the General Court. For paying several sums of money to Richard Taylor, John Quarles, and Alexander Willie. They have also agreed to the resolution for making certain allowances to the delegates of this Commonwealth in Congress. The Senate have also added the name of Lewis Burwell, sen. Esq., to the nomination for a Privy Counsellor, and withdrawn Edmund Winston, Esq., from the nomination for delegates to Congress, at his own request. And then he withdrew.

A message from the Senate by Mr. Jones:

MR. SPEAKER.—The Senate do insist on their amendment disagreed to by this House, to the bill "for establishing several new ferries, and for other purposes." And then he withdrew.

The House proceeded to consider the said amendment; and the same being read,

*Resolved*, That this House do recede from their disagreement thereto.



*Ordered*, That Gen. Nelson do acquaint the Senate therewith.

Several other persons were added to the nomination for delegates to Congress.

*Ordered*, That Gen. Nelson do carry a list of them to the Senate.

The House proceeded, according to the order of the day, by joint ballot with the Senate, to the appointment of four delegates to represent this Commonwealth in Congress, in the room of the gentlemen who have resigned; and the members having prepared tickets for the persons to be appointed, and put the same into the ballot glasses, Messrs. Tyler, Gen. Nelson, Wilkinson, Mason, Talbot, Zachariah Johnson, Hunter, Braxton and Pendleton, were nominated a committee to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and to report to the House, on whom the majority of votes should fall.

*Ordered*, That Gen. Nelson do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House, and reported, that they had met the committee from the Senate in the conference room, and had jointly with them examined the ballot glasses, and found a majority of votes in favor of James Henry, Joseph Jones, James Madison, jun., and John Walker, Esquires.

The House proceeded, in the same manner to the appointment of a member of the Privy Council or Council of State, in the room of Warner Lewis, jun. Esq. who hath resigned; and it appears from the report of Messrs. Lee, Pendleton and Mason, the committee appointed to examine the ballot glasses, that the majority was in favor of Thomas Blackburne, Esq.

*Resolved*, That James Henry, Joseph Jones, James Madison, jun. and John Walker, Esquires, be appointed delegates to represent this Commonwealth in Congress, until the first Monday in November next, in the room of the gentlemen who hath resigned; they having been elected by joint ballot of both Houses of Assembly.

*Ordered*, That Gen. Nelson do carry the resolution to the Senate, and desire their concurrence. *2201.90.*

*Resolved*, That Thomas Blackburne, Esq. be appointed a member of the Privy Council or Council of State, in the room of Warner Lewis, jun. Esq. who hath resigned.

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence. *2201.90.*

Mr. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration, a memorial and sundry petitions to them referred; and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That such part of the petition of the Rev. Charles Clay, minister of the parish of St. Anne, as prays that the vestry of the said parish may be compelled to fulfil an agreement made with the memorialist in the year 1774, respecting his salary, and that he may hold the glebe of the parish of St. Anne, which hath been sold by act of Assembly, be rejected.

*Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of divers the inhabitants of the church of England, in the county and parish of Fluvanna, praying that no act of Assembly, may pass affecting their mode or places of worship, be deferred till the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That so much of the petition of divers other inhabitants of the county and parish of Fluvanna, as prays that the present incumbent of St. Anne's parish, may not be deprived of the glebe, but still be permitted to reside thereon, be rejected.

*Resolved*, that it is the opinion of this committee, That the farther consideration of such other part of the said petition, as prays that the money arising from the sale of the glebe of said parish of St. Anne, due to the parish of Fluvanna, be lodged in the treasury until the vestry of said parish may think proper to apply the same towards the purchase of another glebe, be deferred till the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of the vestry of Hanover parish, in the county of King George, praying that an act may pass empowering them to dispose of the glebe of the said parish, and lay out the money in the purchase of another glebe, be deferred till the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the parish of Lexington and the county of Amherst, praying that commissioners may be appointed to run a new dividing line between the parishes of Amherst and Lexington, is reasonable.

*Ordered*, That a bill or bills, be brought in pursuant to the last resolution; and that the committee for Religion, do prepare and bring in the same.

*Ordered*, That the committee of Privileges and Elections, do make inquiry respecting the claim made and entered by Mr. William Bibb, a member of this House, for his attendance on this present session of Assembly,

*Ordered*, That leave be given to bring in a bill "to amend the act, 'for the removal of the seat of government, and for other purposes;" and that Mr. John Taylor do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the state of the Commonwealth under their farther consideration, and come to several resolutions thereupon, which they had directed him to report, when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

*Resolved*, That this House will, again to-morrow, resolve itself into a committee of the whole House on the state of the Commonwealth.

Mr. Taylor presented, according to order, a bill, "to amend the act for the removal of the seat of government, and for other purposes;" and the same was received and read the first time, and ordered to be read the second time.

Mr. Braxton presented, according to order, a bill, "for establishing an equal mode of assessment of lands within this Commonwealth;" and the same was received and read the first time.

A motion was made, and the question being put, that the said bill be read a second time,

It passed in the negative.

*Resolved*, That the bill be rejected.

A message from the Senate by Mr. Taylor.

MR. SPEAKER.—The Senate have agreed to the resolutions for appointing James Henry, Joseph Jones, James Madison, jun. and John Walker, Esqrs. delegates to represent this Commonwealth in Congress, in the room of the gentlemen who have resigned. Also, to the resolution for appointing Thomas Blackburne a member of the Privy Council or Council of State. And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole House on the bill, "to regulate and ascertain the number of land forces to be kept up for the defence of the State;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Henry reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the said bill.

*Ordered*, That Mr. William Henry and Mr. Porter have leave to be absent from the service of this House for the remainder of the session.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for the dissolution of vestries," being read,

*Ordered*, That the same be put off till Friday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill, "for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America," being read,

*Ordered*, That the same be put off till Thursday next.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House, on the bills, "concerning tobacco fees;" "for the recovery of arms, cattle, or horses, belonging to the United States;" "to regulate the Navy of this Commonwealth;" and "concerning justices of the peace;" being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That the report from the committee of the whole House, on the bill, "to prevent the misapplication of the money collected for taxes," be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY December 15, 1779.

A message from the Senate by Mr. Avery.

MR. SPEAKER.—The Senate have agreed to the remonstrance to Congress on the subject of the Indiana and Vandalia claims. They have also agreed to the resolutions respecting the contract made by the Executive with Messrs. Penet, Wendel and Company. Also, to the bill, "to indemnify William Campbell, Walter Crocket, and others, concerned in suppressing a late conspiracy." And to the bill, "to repeal so much of the act for the support of the clergy, and for the regular collecting and paying the parish levies," as relates to the payment of the salaries heretofore given to the clergy of the church of England. And then he withdrew.

A bill, "to amend the act for the removal of the seat of government, and for other purposes," was read the second time, and ordered to be engrossed and read the third time.

General Nelson, reported from the committee of the whole House, the resolutions agreed to yesterday on the state of the Commonwealth; and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, amended, and agreed to by the House, as followeth:

*Resolved*, That a tax of thirty pounds of tobacco, forty pounds of flour, fifteen pounds of hemp or two and a half bushels of Indian corn, at the option of the payer, be annually imposed on every tithable person in this Commonwealth, except white tithables between the ages of sixteen and twenty-one, for and during the term of years.

*Resolved*, That a part of the said tax be established as a fund whereon to borrow the sum of five millions of pounds current money, to carry interest at the rate of five per cent. per annum, the interest to be annually paid in such manner that the creditor may receive for his interest as much money as will purchase the same quantity of tobacco, that the interest of the money lent would have purchased at the time of the loan.



*Resolved*, That five-eighths of the surplus of the said annual tax be established as a sinking fund for securing the redemption of the notes to be issued to the lenders of money thereon.

*Resolved*, That all the money which shall be borrowed on this fund be repaid at or before the day of , in the year , the creditor shall be entitled to receive as much money as will purchase the same quantity of tobacco that the sum lent would have purchased at the time of the loan.

*Resolved*, That every lender, at the time of advancing his money, shall receive a transferable certificate, expressing the amount of the money so lent, and the quantity of tobacco such money would purchase at the time of lending, which shall be considered as the true and only measure thereafter in estimating the sum of money to be paid to the holders of all certificates issued in consequence hereof.

And that the lenders may have the fullest assurance of receiving the principal and interest of their respective debts on the above mentioned terms and at the appointed time,

*Resolved*, That the public faith of this Commonwealth be pledged to made good all deficiencies which may happen in the said sinking fund, either by increasing the present, or substituting some other tax in aid of this fund.

*Resolved*, That the remaining three-eighths of the amount of the specific commodities, to be collected by this tax, be reserved for the purposes of purchasing military and other stores for the use of the army and navy, and of clothing and other necessities for the use of the army, as the executive may direct, subject to the control of the General Assembly.

*Resolved*, That a duty, or tax of two and a half per centum, be imposed and laid upon all goods, wares, and merchandize, except salt, blankets, arms, and ammunition, imported or brought into this State, and bought by any person resident within this Commonwealth to sell again, to be paid by the purchaser in proportion to the amount of the purchase; that the vender shall render an account, upon oath, to the commissioners of the tax for the county, of every sale of goods amounting to more than the sum of one thousand pounds, to any person resident as aforesaid within one month after such sale, under the penalty of treble the value of the tax upon the amount of the goods sold; and the said commissioners shall be empowered and required to cause the purchaser to be examined upon oath, whether such goods were bought to sell again, or for his own or his family's use and consumption; and shall proceed by warrant under their hands to order the sheriff to collect the tax aforesaid, on the amount of so much of them as shall appear to have been bought to sell again; or, if the purchaser be resident within another county, the said commissioners shall transmit to the commissioners of the tax for the county wherein such purchaser resides, a duplicate by them attested, of the accounts returned to them by the vender, who shall thereupon proceed to have the said tax collected in the manner before directed.

*Resolved*, That a duty, or tax of two and a half per centum, be imposed and laid upon all goods, wares, and merchandize, except salt, blankets, arms, and ammunition, imported or brought into this State, and bought by any person or persons not resident in this Commonwealth, more than the sum of one thousand pounds; the tax to be retained in the hands of the vender, of which he shall render an account upon oath to the commissioners of the tax for the county, under the penalty of treble the tax so to be retained, within one month thereafter; and the said commissioners shall thereupon deliver a duplicate of such account, by them attested, to the sheriff of the county, to be collected by him from the seller, in the same manner that other taxes are collected.

*Resolved*, That all venders of goods shall be subject to an assessment of two and a half per centum on the amount of all goods not of the growth or manufacture of this Commonwealth by them sold by retail (other than those by them imported) in the preceding twelve months, and the assessment shall be made thereon, and the tax collected in the same manner as the taxes on other property. Where any such retail dealers shall intend to remove out of the county, before they shall be so assessed, they shall severally give notice thereof one month prior to such removal, to the assessors of the district, who shall immediately assess such dealer's taxable property, as before directed, to be returned by them in ten days thereafter to the commissioners of the taxes for the county, who are to provide for the immediate collection thereof by the sheriff, in the usual mode. Every such retail dealer removing, without giving notice as herein directed, or removing his effects privately, or concealing them, to evade paying the said tax, shall be subjected to a penalty of treble the amount of such tax.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions; and that the committee of Ways and Means do prepare and bring in the same.

*Ordered*, That the committee of Trade do examine the accounts for allowances made by order of any county court in this Commonwealth for necessities furnished the families of soldiers in the continental or State service, and report thereupon to the House.

The order of the day, for a call of the House, being read,

The House was immediately called over, and the names of the members who failed to appear were noted; and the names of those who made default being again called over, some were excused on account of sickness, employments in the service of the public elsewhere, and other justifiable avocations.

*Ordered*, That the serjeant at arms, attending this House, take into his custody John Teacle, one of the members for the county of Accomack; George Gilder, one of the members for the county of Albemarle; John Ta'bot and James Buford, members for the county of Bedford; William McLanahan, one of the members for the county of Botetourt; Joseph Greenhill, one of the members for the county of Brunswick; Jerman Baker, one of the members for the county of Chesterfield; William Roane, one of the members for the county of Essex; John Smith and Isaac Zane, members for the county of Frederick; John Whiting and John Fox, members for the county of Gloucester;



John Stuart, one of the members for the county of Greenbrier; John Coleman, one of the members for the county of Halifax; William Aylett Booth, one of the members for the county of Hampshire; John Powell, one of the members for the county of Henrico; John Wells and Josiah Parker, members for the county of Isle of Wight; James Harrod, one of the members for the county of Kentucky; James Johnson, one of the members for the county of Lunenburg; Samuel Goode, one of the members for the county of Mecklenburg; John Evans, one of the members for the county of Monongalia; John Stratton and Bennet Tompkins, members for the county of Northampton; John Hull, one of the members for the county of Northumberland; Andrew Robinson and Samuel McCulloch, members for the county of Ohio; John Wilson, one of the members for the county of Pittsylvania; William Mayo, jun. one of the members for the county of Powhatan; William Bibb, one of the members for the county of Prince Edward; James Field, one of the members for the county of Prince George; John Thorowgood and William Robinson, members for the county of Princess Anne; John Hooe, one of the members for the county of Prince William; Alexander Stuart, one of the members for the county of Rockbridge; Silas Hart, one of the members for the county of Rockingham; Abraham Bird, one of the members for the county of Shenandoah; George Stubblefield, one of the members for the county of Spottsylvania; William Brown, one of the members for the county of Surry; Gray Judkins, one of the members for the county of Sussex; Isaac Shelby, one of the members for the county of Washington; and William Harrison, one of the members for the county of Yohogania.

*Ordered*, That the serjeant at arms attending this House, be empowered to send special messengers to take into custody, wherever to be found, the following members of this House, to wit: John Teacle, one of the members for the county of Accomack; William Roane, one of the members for the county of Essex; John Whiting and John Fox, members for the county of Gloucester; John Scasbrook Wells and Josiah Parker, members for the county of Isle of Wight; John Stratton, one of the members for the county of Northampton; John Hull, one of the members for the county of Northumberland; William Mayo, jun. one of the members for the county of Powhatan; William Bibb, one of the members for the county of Prince Edward; John Thorowgood and William Robinson, members for the county of Princess Anne; and George Stubblefield, one of the members for the county of Spottsylvania.

The House being informed, that Mr. John Talbot, one of the members for the county of Bedford; Mr. Jerman Baker, one of the members for the county of Chesterfield; Mr. Isaac Zane, one of the members for the county of Frederick; Mr. John Powell, one of the members for the county of Henrico; Mr. Alexander Stuart, one of the members for the county of Rockbridge; and Mr. William Brown, one of the members for the county of Surry, attended in custody of the serjeant at arms,

*Ordered*, That the said John Talbot, Jerman Baker, Isaac Zane, John Powell, Alexander Stuart, and William Brown, be discharged out of custody, paying fees.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to regulate and ascertain the number of land forces to be kept up, for the defence of the State;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and also upon the bills "concerning tobacco fees;" "for the recovery of arms, horses, or cattle, belonging to the United States;" "to regulate the navy of this Commonwealth;" and "concerning justices of the peace," being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That the report from the committee of the whole House, on the bill "to prevent the misapplication of the money collected for taxes," be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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#### THURSDAY, December 16, 1779.

The House being informed, that Messrs. John Thorowgood and William Robinson, members for the county of Princess Anne; Mr. John Fox, one of the members for the county of Gloucester; Mr. Gray Judkins, one of the members for the county of Sussex; Mr. Bennet Tompkins, one of the members for the county of Northampton; and Mr. John Smith, one of the members for the county of Frederick, attended in custody of the serjeant at arms,

*Ordered*, That the said John Thorowgood, William Robinson, John Fox, Gray Judkins, Bennet Tompkins, and John Smith, be discharged out of custody, paying fees.

An engrossed bill, "to regulate and ascertain the number of land forces to be kept up for the defence of the State," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, to regulate and ascertain the number of land forces to be kept up for the defence of the State."

*Ordered*, That Mr. Tazewell do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to amend the act, for the removal of the seat of government, and for other purposes," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, to amend the act, 'for the removal of the seat of government, and for other purposes.'"

*Ordered*, That Mr. Taylor do carry the bill to the Senate, and desire their concurrence.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the several claims of the inhabitants of Norfolk and Portsmouth, deferred, for farther proof, from the last session of Assembly, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the claims of the following persons for losses sustained in the burning of Norfolk and Portsmouth, are reasonable; and that the claimants ought severally to be allowed the same as hereafter specified, to wit:

To the estate of Robert Tucker, jun. deceased, for houses in the borough of Norfolk, destroyed by order of Convention,	£ 789	0	0
To Henry Cornick, for a dwelling house in the said borough, destroyed by order of Convention,	294	10	0
To Samuel Boush, for a kitchen which by mistake was entered in the name of Charles Boush, destroyed by order of Convention,	12	0	0
To the estate of Goodrich Boush, deceased, for houses in the said borough, burnt by the State troops,	482	0	0
To the estate of Robert Tucker, jun. deceased, the balance of his claim for houses, mills, &c. on Windmill Point, burnt by order of Col. Woodford,	905	0	0
To Samuel Veale, for houses in the town of Portsmouth, burnt by order of Gen. Lee,	545	0	0
To Thomas Veale, for a mill, burnt by order of the said Lee,	400	0	0
To the trustees of the town of Portsmouth for the market house, which took fire from the flames communicating from the houses of John Goodrich, jun. which were burnt by order of the said Lee,	60	0	0
To Amos Etheridge, for houses which took fire from the flames communicating from the houses of Robert Shadden, which were burnt by order of the said Lee,	670	0	0

*Resolved*, that it is the opinion of this committee, That the several claims of Arthur Butts, Walter Gwyn, Richard Lishman, Thomas Tomer, Michael Bradley, John Brannun, Samuel Sandefoot, Nathaniel Burgess, Henry Culpeper, Sophia Haudcock, John Morris, William Roberts, Thomas Veale, John Dillow, Paul Owens, Francis Hatton, George Leslie, Jane Butler, Patience Nicholson, Elizabeth Hall and Samuel Veale, for damages done their houses by the soldiers in the town of Portsmouth, and county of Norfolk, which were made use of as barracks, be rejected.

*Resolved*, that it is the opinion of this committee, That the several claims of John Goodrich, jun. Daniel Mackneal, Thomas Stewart, John Goodrich, sen., Humphrey Roberts, Andrew Sprowle, Robert Shadden, John Agnew, John Shadden and John Sowness, who, it appears, have joined the enemy, be rejected.

*Resolved*, that it is the opinion of this committee, That the claim of Isaac Luke, for property which it appears was destroyed by the British troops, be rejected.

*Resolved*, that it is the opinion of this committee, That the farther consideration of the several claims of John Gardener, Phripp and Bowdoin, Cornelius Calvert, son of Saunders, Joseph Hutchings's estate, Thomas Newton, jun. Richard Brown, and Joseph Calvert, be deferred till the next session of Assembly.

*Ordered*, That Mr. Lee do carry the first resolution to the Senate, and desire their concurrence.

Mr. Carrington reported, from the committee appointed to examine the treasurer's accounts, that the committee had, accordingly examined the said accounts, and had directed him to report the same as it appeared to them to the House, and he read the report in his place, and afterwards delivered it in at the clerk's table, where the same was again twice read and agreed to, as followeth:

The committee appointed to examine the treasurer's accounts have accordingly examined and compared the same with the proper vouchers from the 4th day of October, 1778, to the second day of October, 1779, inclusive, and find that the sum of one hundred sixteen thousand eight hundred and twenty-four pounds seventeen shillings and four pence three farthings, being the balance that appeared from the account last examined, is brought to the credit of the public, as the first article of the treasurer's present accounts.

That the treasurer hath from the 4th October, to 13th December, 1778, received on sundry accounts the sum of 186,981*l.* 2*s.* 8 3-4*d.*, and paid away in that time the sum of 153,414*l.* 11*s.* 6*d.* Your committee find that from the said 13th December, 1778, to the first of May last, the treasurer received from sundry persons the sum of 233,325*l.* 19*s.* 4 1-2*d.*, and on loan office certificates the sum of 344,701*l.* 12*s.* 8*d.*, that of the sum directed in May, 1778, to be issued, the treasurer had on May the 1st, 1779, emitted the sum of 84,252*l.* 15*s.*; that the treasurer hath, from the 13th day of December, 1778, to the 1st day of May, 1779, paid the sum of 1,027,118*l.* 1*s.* 9 3-4*d.*

Your committee also find, that the treasurer from the said 1st day of May to the 2d day of October, 1779, hath received from sundry persons the sum of 102,957*l.* 13*s.* 11*d.*, also on loan office certificates the sum of 277,108*l.* 5*s.*, and the sum of 4,800*l.* on account of the land office.

Your committee farther find, that the treasurer hath emitted the sum of 1,105,738*l.* 10*s.*, being the balance of

the emissions directed to be issued in October, 1778, and May, 1779, and that the treasurer hath from May 1, to October 2, 1779, paid the sum of 1,657,098*l.* 16*s.* 5 1-2*d.*, so that the balance due the public at the time of rendering this account was 119,098*l.* 14*s.* 11 3-4*d.*, which sum it appears was in the treasury at that time, as your committee have examined the cash account arising since, for payments made and monies received, and have also examined and counted the money in the treasury, and found the same to be right, and that the accounts are fairly and properly stated, and have been accurately kept; but for the more clear explanation thereof, your committee take leave to refer to a state of account hereto annexed.

We also burnt the sum of 10,654*l.* 2*s.* 9*d.* of various emissions, being so defaced and torn, as to render it unfit for circulation, which reduced the balance in his hands to the sum of 108,435*l.* 12*s.* 2 3-4*d.*, but we beg leave to observe that of the money produced to us, for the balance in the hands of the treasurer, the sum of 22*l.* 16*s.* part thereof, appeared to be counterfeit, received as we presume, through the hurry sometimes attendant on the business of his office, for which he requests to be allowed.

*The Treasurer in account with the Commonwealth of Virginia.*

*DR.*

October 4, 1778,	To balance of account,	-	-	£ 116,024	17	4	1-2
December 13,	To cash received on sundry accounts,	-	-	186,911	2	8	3-4
May 1, 1779,	To ditto ditto,	-	-	233,325	19	4	1-2
	To ditto on loan office certificates,	-	-	344,701	12	8	
	To ditto in part of emissions of May and October, 1778,	-	-	563,252	15	0	
October 2,	To ditto received from sundry persons,	-	-	102,987	13	11	
	To ditto on loan office certificates,	-	-	277,108	5	0	
	To ditto on land office receipts,	-	-	4,800	0	0	
	To ditto received the balances of emissions May and October, 1778,	-	-	1,105,738	19	0	
	and May, 1778,	-	-	£ 2,956,721	5	1	

*The Treasurer in account with the Commonwealth of Virginia.*

*CR.*

December 13, 1778,	By cash paid on sundry accounts,	-	-	£ 153,414	11	10	
May 1, 1779,	By cash paid on sundry accounts,	-	-	1,027,118	1	9	3-4
October 2,	By cash paid on sundry accounts,	-	-	1,657,008	16	5	1-2
	By cash burnt of sundry emissions,	-	-	10,654	2	9	
	Balance due the public,	-	-	108,435	12	2	3-4
				£ 2,956,721	5	1	

*Resolved*, That the treasurer be allowed in his account the sum of 22*l.* 16*s.* for so much had money received at his office on the public account, as the same appears to have arisen from unavoidable accident, and not from any default in him; and that he be permitted to charge the same in account for the ensuing year.

*Ordered*, That Mr. Carrington do carry the resolution to the Senate, and desire their concurrence.

Mr. Skinker reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined several others, and found them to be truly enrolled.

*Ordered*, That Mr. Skinker do carry the said enrolled bills to the Senate for their inspection.

A memorial of George Webb, Esq. treasurer of the Commonwealth, was presented to the House, and read; setting forth, that from the great increase of business in the treasury office, and the high salaries he is obliged to give his clerks, the present salary allowed him by law is very insufficient; and praying that the same may be increased.

*Ordered*, That the said memorial be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That the Governor, with the advice of the Council, be desired to inquire into the number of the militia that marched into the State of South Carolina, and did not return without permission of the commanding officer, and that the sum of forty pounds be paid to every such non-commissioned officer and private, over and above his pay, in such manner as the Governor, with the advice of the Council, shall adopt; and the Governor is hereby empowered to draw for the same upon the treasurer of this Commonwealth.

*Resolved*, That the Governor, with the advice of the Council, be desired to take proper measures to punish such of the militia as were ordered upon that service, and either refused to march, or deserted after they were embodied.

*Ordered*, That General Nelson do carry the said resolutions to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "concerning justices of the peace;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read a third time.



Also, a letter from James Madison, jun. Esq. a member of the Privy Council or Council of State, to the same effect: which were read, and ordered to lie on the table.

*Ordered*, That a committee be appointed to examine and state the account of Messrs. Dixon and Nicholson for printing the acts of Assembly and Journals of the Senate; and that the said committee have power to inquire into the conduct of the several public printers, and report thereupon to the House.

And a committee was appointed, of Messrs. Tazewell, Tyler, Newton, Garland Anderson, Lee and Burwell.

Mr. Mason reported, from the committee of Ways and Means, that the committee had had under consideration the supplies necessary for the State expenditure, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to regulate the navy of this Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read a third time.

The House, according to the order of the day, resolved into a committee of the whole House, on the bill, "for the recovery of arms, cattle, or horses, belonging to the United States;" and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read a third time.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and also on the bills "concerning tobacco fees;" and "for the protection and encouragement of the commerce of nations, acknowledging the independence of the United States of America," being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That the report from the committee of the whole House on the bill "to prevent the misapplication of the money collected for taxes," be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, December 17, 1779.

The House being informed, that Mr. John Whiting, one of the members for the county of Gloucester, attended in custody of the serjeant at arms,

*Ordered*, That the said John Whiting be discharged out of custody, paying fees.

An engrossed bill, "for the recovery of arms, horses, or cattle belonging to the United States," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for the recovery of arms, horses, cattle and other property belonging to the Commonwealth or to the United States."

*Ordered*, That Mr. Tazewell do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to regulate the navy of this Commonwealth," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to regulate the navy of this Commonwealth."

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill "concerning justices of the peace," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act concerning justices of the peace."

*Ordered*, That Mr. Braxton do carry the bill to the Senate, and desire their concurrence.

General Nelson, from the committee of Propositions and Grievances presented, according to order, a bill, "for establishing a new ferry on the land of John Fox, in the county of Gloucester;" and the same was received and read the first time, and ordered to be read a second time.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate to the choice of two members of the Privy Council or Council of State, in the room of John Walker and James Madison, jun. Esquires, appointed delegates to represent this Commonwealth in Congress.

*Ordered*, That General Nelson do acquaint the Senate therewith.

A bill, "for establishing a new ferry on the land of John Fox, in the county of Gloucester," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

The House proceeded to nominate persons proper to be balloted for as members of the Privy Council or Council of State.

*Ordered*, That General Nelson do carry a list of the persons so nominated to the Senate.

The order of the day, for the House to resolve itself into a committee of the whole House on the bill, "for the dissolution of vestries," being read,

A motion was made, and the question being put, that the same be put off till the third day of March next, It was resolved in the affirmative.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for the protection and encouragement of the commerce of nations, acknowledging the independence of the United States of America;" and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Mason presented, according to order, a bill, "for raising a supply of money for the service of the United States;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Tazewell, according to the order of the day, reported from the committee of the whole House, the amendments made to the bill, "to prevent the misapplication of the money collected for taxes;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A bill, "for raising a supply of money for the service of the United States," was read the second time, and ordered to be committed to a committee of the whole House to-morrow.

General Nelson presented, according to order, a bill, "to amend the act establishing a Board of War;" and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the state of the Commonwealth under their consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, That an additional tax of half per centum be laid upon all property assessed ad valorem under the act of the last session, entitled "an act, to explain and amend the acts of General Assembly, providing a supply of money for public exigencies," and of six shillings and eight pence per head on all neat cattle.

*Resolved*, That if any person shall pay to the treasurer of this State, for the time being, any sum or sums of money in advance for taxes not then due, and which may thereafter accrue, such person shall be entitled to a discount of the money so advanced in his future taxes, together with an allowance of interest thereon, at the rate of six per centum per annum, until the principal and interest shall have been discounted.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions, and that the committee of Ways and Means, do prepare and bring in the same.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

A memorial of the auditors of public accounts, was presented to the House, and read; setting forth, that the salaries allowed them by law, are very inadequate to their trouble and expenses; and praying that the same may be augmented.

*Ordered*, That the said memorial be referred to the committee of Propositions and Grievances, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That the petition of Peter de la Croix, which has been laid before the General Assembly, be referred to the Governor and Council; that the Governor do appoint proper persons in the county of Accomac, or elsewhere, if he shall see cause, to take the depositions of all witnesses whose testimony may be required, as well on the part of the said Peter de la Croix, as of the justices of the county of Accomac, or the Commonwealth; and that the deputy attorney for that county do attend the taking thereof, each party giving the other five days previous notice of the time and place of taking all such depositions; to be laid before the General Assembly at their next session.

*Ordered*, That General Nelson do carry the said resolution to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "concerning tobacco fees;" being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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SATURDAY, December 18, 1779.

A message from the Senate by Mr. Avery:

MR. SPEAKER,—The Senate have added several persons to the nomination for members of the Privy Council or Council of State; and he delivered in a list of them. And then he withdrew.

*Ordered*, That Mr. Talbot have leave to be absent from the service of this House, until Tuesday next.

General Nelson reported, from the committee of Propositions and Grievances, to whom the bill, "for establish-

ing a new ferry from the land of John Fox, in the county of Gloucester," was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made no amendment thereto.

*Ordered*, That the bill be engrossed, and read the third time.

An engrossed bill, "for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America."

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.

Mr. Carrington presented, from the committee for Religion, according to order, a bill, "for dissolving several vestries, and for other purposes;" and the same was received, and read the first time.

A motion was made, and the question being put, that the said bill be read a second time,

It passed in the negative.

*Resolved*, That the bill be rejected.

Mr. Carrington presented, from the committee for Religion, according to order, a bill, "for the more equal division of the parishes of Amherst and Lexington;" and the same was received, and read the first time.

A motion was made, and the question being put, that the said bill be read a second time,

It passed in the negative.

*Resolved*, That the bill be rejected.

An engrossed bill, "to prevent the misapplication of the money collected for taxes," was read the third time, and a blank therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, to prevent the misapplication of the money, collected for taxes."

*Ordered*, That Mr. Tazewell do carry the bill to the Senate, and desire their concurrence.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the memorial of the treasurer to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, That so much of the said memorial, as prays that he be allowed one-eighth per centum on all monies brought into the treasury on any subsequent loans, in consequence of the sales of British property, and under the law for establishing a Commonwealth's land office, is reasonable.

*Resolved*, That such other part of the said memorial, which prays an increase of salary, and that his clerks may be paid by the public, be rejected.

The 1st resolution was read a second time, and ordered to be recommitted to the same committee.

The 2d resolution was read a second time, and ordered to be recommitted to the same committee.

A message from the Senate by Mr. Griffin:

MR. SPEAKER,—The Senate have examined several enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

The Speaker signed the following enrolled bills. "An act, for establishing several new ferries, and for other purposes." "An act, to indemnify William Campbell, Walter Crockett, and others, concerned in suppressing a late conspiracy." "An act, concerning non-jurors." "An act, to explain and amend the act, of the present session of Assembly, for dividing the parish of Drysdale, in the counties of King and Queen and Caroline." "An act to repeal so much of the act, for the support of the clergy, and for the regular collecting and paying the parish levies," as relates to the payment of the salaries heretofore given to the clergy of the church of England.

A bill, "to amend the act, for establishing a Board of War," was read the second time, and ordered to be committed to a committee of the whole House on Monday next.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "concerning tobacco fees;" and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report, when the House should think proper to receive the same.

*Ordered*, That the said report be received on Monday next.

The House proceeded, according to the order of the day, by joint ballot with the Senate, to the choice of two members of the Privy Council or Council of State, in the room of James Madison, jun., and John Walker, Esqrs., appointed delegates to represent this Commonwealth in Congress; and the members having prepared tickets for the persons to be appointed, and put the same into the ballot glasses; Messrs. Fleming, Cabell, Braxton, Lee, Reynolds and Edmondson, were nominated a committee to meet a committee from the Senate, and jointly with them, to examine the ballot glasses, and to report to the House, on whom the majority of votes should fall.

*Ordered*, That Mr. Fleming do acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had met a committee from the Senate in the conference room, and had jointly with them examined the ballot glasses, and found a majority of votes to fall on William Fleming and David Meade, Esqrs.



*Resolved*, That William Fleming and David Meade, Esqrs., be appointed members of the Privy Council or Council of State, in the room of James Madison, jun. and John Walker, Esqrs., appointed delegates to represent this Commonwealth in Congress.

*Ordered*, That Mr. Fleming do carry the resolution to the Senate, and desire their concurrence. *Dec. 19.*

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for raising a supply of money for the service of the United States;" and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have passed the treasurer's accounts, and agreed to the resolutions for reimbursing the treasurer a sum of counterfeit money, and respecting the militia marched to South Carolina.

They have also agreed to the bill, "for the recovery of arms, cattle, horses, and other property, belonging to the Commonwealth, or to the United States." And to the bill, "to regulate the navy of this Commonwealth." And then he withdrew.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

### MONDAY, December 20, 1779.

An engrossed bill, "for establishing a new ferry on the land of John Fox, in the county of Gloucester," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, for establishing a new ferry on the land of John Fox, in the county of Gloucester."

*Ordered*, That Mr. Tyler do carry the bill to the Senate, and desire their concurrence.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, several claims for necessities furnished by orders of county courts, for the support of the families of soldiers in the continental and State service, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the claim of George Dabney, for provisions furnished by an order of Hanover county court, dated September 3d, 1779, to the widow, wives, and children of sundry soldiers in the service of the United States and of this State, is reasonable; and that the claimant ought to be allowed the amount of his claim, being 249*l.* 11*s.* 7*d.*; a particular account whereof, is as followeth, to wit:

For provisions furnished the widow of Charles Gregory, deceased, late a soldier in the continental service,	-	-	-	-	£145	8	7	
For provisions furnished the widow of John Camron, deceased, late a soldier in the same service,	-	-	-	-		3	0	0
For provisions furnished the wife and child of Peter Wilson, a soldier in the same service,	-	-	-	-		1	0	0
For provisions furnished the wife of John Alvis, a soldier in the same service,	-	-	-	-		60	0	0
For provisions furnished the widow Cawthorn, who hath a son in the same service,	-	-	-	-		27	15	0
For provisions furnished Hannah King, who hath a son in the service of this State,	-	-	-	-		12	8	0

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£249 11 7

*Resolved*, that it is the opinion of this committee, That the claim of Bowler Hall, for rent of a house twelve months, 40*l.*, and the milk of a cow 5*l.*, for the use of the widow and family of Joseph Nunnally, late a soldier in the continental service, an account whereof hath been presented to and approved of by the court of the county of Amelia, November 25, 1779, is reasonable; and that the claimant ought to be allowed the sum of 45*l.* for the same.

*Resolved*, that it is the opinion of this committee, That the claim of Richard Jones, jun. for necessities furnished the widow and family of Joseph Nunnally, late a soldier in the service of the United States, an account of which was presented to and approved of by the county court of Amelia, November 25, 1779, is reasonable; and that the claimant ought to be allowed the amount of his claim, being 163*l.* 4*s.*; a particular account whereof, is as followeth, to wit:

January 20, 1779.	To cash paid for 4 barrels of corn, at 5 <i>l</i> . per barrel,	-	-	£20	0	0
	To ditto for 320 lbs. pork, at 12 <i>l</i> . per hundred,	-	-	38	8	0
	To ditto for 122 lbs. beef, at 2 <i>s</i> . per pound,	-	-	12	4	0
July 14,	To ditto for 43 and a half lbs. bacon, at 12 <i>s</i> .	-	-	26	2	0
22,	To ditto for 4 and a half bushels corn, at 6 <i>l</i> . per bushel,	-	-	27	0	0
August 21,	To a bushel of wheat, 10 <i>l</i> ., October 4, a bushel of ditto 10 <i>l</i> .,	-	-	20	0	0
October 20,	To a peck of salt,	-	-	7	10	0
November 10,	To 3 bushels corn,	-	-	12	0	0
					£163	4 0

*Resolved, that it is the opinion of this committee,* That the claim of Thomas Bolling Munford, for provisions furnished by order of Amelia county court, to the wives and children of John Brogan, and Hugh Roke, poor soldiers in the continental army, is reasonable; and that the claimant ought to be allowed the amount of his claim, being 165*l*. 7*s*. 6*d*.

*Resolved, that it is the opinion of this committee,* That the order of the court of Lunenburg county, of the 9th of this month, for a draught of 475*l*. on the treasury, to be laid out in the purchase of provisions for the subsistence of the wife and children of John Boaz, a soldier in the continental service, be rejected.

*Resolved, that it is the opinion of this committee,* That the allowance of 244*l*. 10*s*. granted to Jerriad Willingham, by the county court of Lunenburg, November 1779, to supply Betty Wilkerson, a poor woman, whose husband died in the continental service, with necessary provisions, be rejected.

*Resolved, that it is the opinion of this committee,* That the allowance of 357*l*. 10*s*. granted to Lodowick Farmer, by the county court of Lunenburg, November 11, 1779, to be laid out in the purchase of provisions, for the support of Anne Pailer, a poor woman who hath two sons in the continental service, and of Catharine Gradey, whose husband is likewise in the said service, be rejected.

*Ordered,* That Mr. Lee do carry the first, second, third and fourth resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill “to regulate and ascertain the number of land forces to be kept up for the defence of the State,” with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments, and the same being read, were agreed to.

*Ordered,* That Mr. Tazewell do acquaint the Senate therewith.

*Ordered,* That leave be given to bring in a bill, “to confirm the titles of purchasers of escheated and forfeited estates;” and that Mr. Mason do prepare and bring in the same.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to the resolution for appointing William Fleming and David Meade Esquires, members of the Privy Council or Council of State. And then he withdrew.

Mr. Mason presented, according to order, a bill “to confirm the titles of purchasers of escheated and forfeited estates;” and the same was received and read the first time, and ordered to be read a second time.

Mr. Mason presented, according to order, a bill “providing a farther supply for the exigencies of government;” and the same was received and read the first time, and ordered to be read a second time.

General Nelson reported, from the committee of Propositions and Grievances, to whom the bill “to repeal part of the act, entitled ‘an act, to amend an act, ‘for reviving several public warehouses for the inspection of tobacco,’” was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, amended, and agreed to by the House.

*Ordered,* That the bill, with the amendments, be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, “to amend the act, establishing a Board of War;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and agreed to by the House.

*Ordered,* That the bill, with the amendments, be engrossed and read the third time.

An engrossed bill, “for raising a supply of money for the service of the United States,” was read the third time, and the blanks therein filled up.

An engrossed clause, was offered to be added to the said bill, by way of ryder; for enforcing the collection of the same taxes in corporations;

And the said clause was thrice read, and upon the question put thereupon, agreed to by the House to be made part of the bill, by way of ryder.

*Resolved,* That the bill do pass, and that the title be, “an act, for raising a supply of money, for the service of the United States.”

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

The Speaker laid before the House, a letter from the Board of War, respecting the powers invested in the said Board; and the same was read, and ordered to lie on the table.

A bill, "providing a farther supply for the exigencies of government," was read the second time, and ordered to be committed to a committee of the whole House immediately.

The House accordingly resolved itself into a committee of the whole House on the said bill; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Mason presented, according to order, a bill "for establishing a fund to borrow money for the service of the United States, and for other purposes;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "to confirm the titles of purchasers of escheated and forfeited estates," was read the second time, and ordered to be committed to a committee of the whole House immediately.

The House accordingly resolved itself into a committee of the whole House on the said bill; and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A bill, "for establishing a fund to borrow money for the service of the United States, and for other purposes," was read a second time, and ordered to be committed to a committee of the whole House to-morrow.

A message from the Senate by Mr. Griffin:

MR. SPEAKER,—The Senate have agreed to the resolution respecting Peter de la Croix. They have also agreed to the bill "to prevent the misapplication of the money collected for taxes," with an amendment, to which they desire the concurrence of this House. And to the bill "to amend the act for the removal of the seat of government," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendment to the bill "to prevent the misapplication of the money collected for taxes;" and the same being read was agreed to.

*Ordered*, That Mr. Edmondson do acquaint the Senate therewith.

The House proceeded to consider the amendments to the bill "to amend the act for the removal of the seat of government;" and the same being read,

A motion was made, and the question being put, that the farther consideration thereof be postponed until the first day of January next,

It was resolved in the affirmative.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, December 21, 1779.

An engrossed bill, "providing a farther supply for the exigencies of government," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, providing a farther supply for the exigencies of government."

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Rutherford:

MR. SPEAKER,—The Senate have agreed to the bill "for raising a supply of money for the service of the United States. And then he withdrew.

An engrossed bill, "to confirm the titles of purchasers of escheated and forfeited estates," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to confirm the titles of purchasers of escheated and forfeited estates."

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to amend the act, 'establishing a Board of War,'" was read the third time,

*Resolved*, That the bill do pass, and that the title be, "an act, to amend the act 'establishing a Board of War.'"

*Ordered*, That General Nelson do carry the bill to the Senate, and desire their concurrence.



An engrossed bill, "to repeal part of an act, entitled 'an act to amend an act, entitled 'an act for reviving several public warehouses for the inspection of tobacco,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to repeal and amend part of an act, entitled 'an act to amend an act, entitled 'an act for reviving several public warehouses for the inspection of tobacco, and for other purposes.'"

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Mason:

MR. SPEAKER,—The Senate have agreed to the resolution for paying the claims of sundry persons for losses sustained in the borough of Norfolk, and also the claims of sundry persons for necessities furnished the families of soldiers in the Continental and State service. And then he withdrew.

General Nelson reported, from the committee of Propositions and Grievances, to whom the resolution upon the treasurer's memorial was recommitted, that the committee had, according to order, had the same under their farther consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That so much of the treasurer's memorial as prays that he be allowed one-eighth per centum on all monies brought into the treasury on any subsequent loans, in consequence of the sales of British property, and under the law for establishing the land office, is reasonable.

*Resolved*, that it is the opinion of this committee, That the treasurer be empowered to employ so many clerks as he shall find absolutely necessary for transacting the business of his office; and that he be allowed the salaries or wages he shall give to all the clerks so employed, more than three.

The first resolution was read a second time, amended, and agreed to by the House.

The second resolution was read a second time, and upon the question put thereupon, disagreed to by the House.

*Ordered*, That a bill or bills, be brought in pursuant to the first resolution; and that Messrs. Mason, General Nelson, Taylor, Tazewell and Henry, do prepare and bring in the same.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill "providing a farther supply for the exigencies of government." Also, to the bill "to confirm the titles of purchasers of escheated and forfeited estates." And to the bill, "to amend the act 'establishing a Board of War.'" And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for establishing a fund to borrow money for the service of the United States, and for other purposes;" and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the said bill.

*Ordered*, That leave be given to bring in a bill "to amend so much of the several acts of Assembly which empower the county courts to make provision for the support of the wives, parents, and families of the soldiers of this State in the service of this Commonwealth, or in the service of the United States; and that Messrs. Lee, Mason, and General Nelson, do prepare and bring in the same.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY, December 22, 1779.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill, "to amend part of an act, entitled 'an act, to amend an act, entitled 'an act, 'for reviving several public warehouses for the inspection of tobacco,'" with an amendment; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment; and the same being read was agreed to.

*Ordered*, That Mr. Henry do acquaint the Senate therewith.

Mr. Strother reported, that the committee appointed had, according to order, made inquiry into the manner of issuing clothes, provisions, and other necessities in the military department, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended and agreed to, as followeth:

It appears to your committee that by issues made from the public store to the staff department from the 25th of June to the 25th of November, the State hath sustained a loss of 4,414l. 12s. 8d., being the difference between the prime cost, at which the articles furnished have been charged, and the actual sum they cost the public; and that the

officers in the staff department moreover receive the emoluments of drawing in certain proportions monthly, rum, sugar, tea, coffee, candles, soap, and wood, to a very considerable amount, exclusive of their pay.

Whereupon, your committee came to the following resolution:

*Resolved, that it is the opinion of this committee, That the following officers in the staff department are supernumerary, and ought to be discontinued, to wit: The director general, chaplains, and purveyor general; and that during the continuance of the troops in garrison, regimental hospitals, superintended by regimental surgeons, ought to be established; and that the general hospital, with its expensive train of dependencies, ought to be discontinued; and that no officer in the staff ought to be allowed full pay and rations both in the employment of this State and of the continent; and that the Governor and Council be empowered and directed to take order for carrying this resolution into effect.*

Your committee have also made inquiry into the department of commissary of provisions, and it does not appear to your committee, that any regular mode of issuing provisions hath been established, but that large quantities are drawn for by the quarter master general, by the armorer, by the manager of the artificers, of the shoemakers, of the tailors, of the hospital for lunatics, and by the managers of the general hospital on their own order, without being subject to any check or control; by which means every individual hath it in his power to make a return for more men than he really hath, and to derive to himself great emolument by defrauding the public of the difference; a fact which is not in proof: but your committee cannot help observing that 17,500 rations per month, have been issued at this post, and only 10,800 of it for the use of the troops.

Your committee also beg leave to subjoin, that they have called for and had laid before them, returns from the proper officers of those employed in the departments of quarter master general, commissary of provisions, and clothier, and in the general hospital: from whence it appears that a train of supernumerary officers, and dependants, are continued in the service without necessity, whose pay and other emoluments produce great expense to the Commonwealth.

And upon these heads your committee have come to the following resolutions:

*Resolved, that it is the opinion of this committee, That the executive be empowered and directed to make a thorough investigation into the matter of issuing provisions heretofore, and to establish such regulations as may be effectual to prevent frauds and abuses therein.*

*Resolved, that it is the opinion of this committee, That no officer or other person employed in the staff department, ought to be allowed to draw rations, forage, wood, or other articles, unless when in camp at some post, or otherwise upon duty.*

*Resolved, that it is the opinion of this committee, That the executive be empowered and directed to make inquiry into the conduct of the several officers in the staff department, of the number of deputies, assistants, and other dependants employed by them, or any of them, and to dismiss such of the said officers or dependants not named in the foregoing resolution, as it shall appear to them are not immediately necessary; that they regulate the staff of this State upon the continental model, particularly by filling up the quarter master's department, by officers of the line.*

*Resolved, That no person whatsoever ought to be allowed to draw clothing or other necessities, at the reduced prices, except the officers of the line and navy, regimental and navy surgeons and mates, soldiers, and sailors, personally engaged in the defence of this State.*

*Ordered, That Mr. Strother do carry the resolutions to the Senate and desire their concurrence.*

Mr. Braxton reported, from the committee of Privileges and Elections, that the committee had had under their consideration, the order of the House, respecting the charge of Mr. William Bibb against this State, for attendance on the General Assembly, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by this House, as followeth:

*Resolved, that it is the opinion of this committee, That Mr. William Bibb, did charge in his account against the public, ten days over and above the number he attended his duty as a delegate; and that he ought to refund the same to the public.*

*Resolved, That the farther consideration of the charge against Mr. Bibb, be postponed until the next session of Assembly, when he may have an opportunity of appearing in his defence, the money for the over charge having been agreed to be paid by Mr. Flournoy to the public, in behalf of Mr. Bibb.*

Mr. Lee presented, according to order, a bill "to amend so much of the several acts of Assembly, which empower the county courts to make provision for the support of the wives, parents and families of the soldiers of this State, in the service of this Commonwealth, or in the service of the United States;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Skinker reported, from the committee appointed to inspect the enrolled bills, that the committee had examined several others, and found them to be truly enrolled.

*Ordered, That Mr. Skinker do carry the bills to the Senate for their inspection.*

Mr. Taylor reported, from the committee to whom the bill, "concerning certain claims to waste or unappropriated lands" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered, That the bill, with the amendments, be engrossed, and read the third time.*

Mr. Tazewell reported, that the committee appointed to examine into the account of Messrs. Dixon and Nichol-



son, and to inquire into the conduct of the public printers, had, according to order, examined into the several matters to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth :

It appears to your committee, that the said Dixon and Nicholson, printed for the public use, during the session of the last Assembly, the tax bill, and the two acts in relation to the land office, separately and distinct from the body of the acts passed at that session; that they printed the laws of the last session as soon after the rising of the Assembly as it was in their power to do, and when they were completed, public notice was given for the counties, to contrive conveyances for them to their respective counties, as it was not their province to send the same; that they printed the Journals of the Senate, agreeable to the appointment of that House; for all which purposes they furnished themselves with paper, at the price, as appears to your committee, of 60*l.* per ream.

*Resolved*, that it is the opinion of this committee, That the said Dixon and Nicholson, ought to be allowed the sum of 4,950*l.*, that being the amount of their account against the public.

*Ordered*, That Mr. Tazewell do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Griffin :

MR. SPEAKER.—The Senate have examined several other enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

Mr. Anderson reported, that the committee appointed had, according to order, had under their consideration, the account of Mr. Alexander Purdie, deceased, late public printer, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth :

Your committee find, that the sum of twelve hundred pounds was advanced, to be deducted out of his annual salary of fifteen hundred pounds, which was to become due on the first day of October last past; that exclusive of the twelve hundred pounds, one hundred reams of paper was purchased at the price of one thousand pounds, and delivered to him for the public use; that eighteen hundred copies of the acts of October session, 1778, are charged to the public, but no satisfactory account of more than two-thirds of that number having been delivered; that two hundred and fifty copies of the Journals of the same session are charged, which Journals have not yet been printed.

Whereupon, your committee came to the following resolution :

*Resolved*, that it is the opinion of this committee, That the accounts of the said Alexander Purdie, deceased, late public printer, ought to be settled by a court of law; and that the Attorney General be directed to prosecute the same on behalf the Commonwealth.

*Ordered*, That Mr. Anderson do carry the resolution to the Senate, and desire their concurrence.

General Nelson presented, according to order, a bill, "for giving an additional allowance to the treasurer of this Commonwealth;" and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for establishing a fund to borrow money for the use of the United States, and for other purposes;" and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A bill, "for giving an additional allowance to the treasurer of this Commonwealth," was read the second time, and ordered to be committed to a committee of the whole House to day.

General Nelson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the memorial of the auditors of public accounts to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth :

*Resolved*, that it is the opinion of this committee, That the memorial of the auditors of public accounts is reasonable; and that they ought to be allowed in addition to their present salary the sum of fifteen hundred pounds per annum each.

*Ordered*, That the said resolution be referred to the committee of the whole House, on the bill "for giving an additional allowance to the treasurer of this Commonwealth."

The House resolved itself into a committee of the whole House, on the bill "for giving an additional allowance to the treasurer of this Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Henry reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The House proceeded to nominate persons proper to be ballotted for as treasurer of this Commonwealth.

*Ordered*, That General Nelson do carry a list of the persons so nominated to the Senate.



The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, December 23, 1779.

An engrossed bill, "for establishing a fund to borrow money for the service of the United States, and for other purposes," was read the third time, and the blanks therein filled up.

An engrossed clause was offered to be added to the said bill, by way of ryder, for suspending the operation thereof until the first day of December, 1780.

And the said engrossed clause was thrice read; and on the question put thereon, agreed to be made part of the said bill by way of ryder.

*Resolved*, That the bill do pass, and that the title be, "an act for establishing a fund to borrow money for the service of the United States, and for other purposes."

*Ordered*, That Mr. Henry do carry the bill to the Senate and desire their concurrence.

An engrossed bill, "concerning certain claims to waste or unappropriated lands," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act for explaining and amending 'an act, entitled 'an act for adjusting and settling the titles of claimers to unpatented lands under the present and former government previous to the establishment of the Commonwealth's Land Office.'"

*Ordered*, That Mr. Edmondson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for giving an additional allowance to the treasurer of this Commonwealth," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act for making an adequate provision for the officers of government."

*Ordered*, That Mr. Lee do carry the bill to the Senate, and desire their concurrence.

A bill, "to amend so much of the several acts of Assembly which empower the county courts to make provision for the support of the wives, parents, and families of the soldiers of this State, in the service of this Commonwealth, or in the service of the United States;" was read the second time, and ordered to be engrossed and read the third time.

A message from the Senate by Mr. Mason.

**MR. SPEAKER**,—The Senate have agreed to the resolutions of this House respecting the staff department. For settling the accounts of the public with the late Alexander Purdie, public printer. And for paying a sum of money to Messrs. Dixon and Nicholson. And then he withdrew.

*Resolved*, That the following allowances be made to the officers of the General Assembly:

To the Rev. James Madison, chaplain,	-	-	-	£ 350	0	0
To Mr. John Beckley, clerk of the House of Delegates, for his own services, and an additional clerk,	-	-	-	4,000	0	0
To Mr. William Drew, clerk of the Senate,	-	-	-	1,725	0	0
To Mr. Edmund Pendleton, clerk of the committee of Privileges and Elections and Propositions and Grievances,	-	-	-	1,388	0	0
To Mr. Hinde Russell, clerk of the committees of Courts of Justice and Trade,	-	-	-	1,000	0	0
To Mr. William Russell, clerk of the committee for Religion,	-	-	-	400	0	0
To Mr. Freeman Eppes, serjeant at arms to the House of Delegates,	-	-	-	1,156	0	0
To Mr. William Peirce, serjeant at arms to the Senate,	-	-	-	1,156	0	0
To Mr. Thomas Blackburne, clerk to the committee of Ways and Means,	-	-	-	400	0	0
To William Drinkard, William Hicks, John Creagh, and Daniel Hicks, door-keepers to the House of Delegates, each,	-	-	-	740	0	0
To Thomas Paul and William Hicks, jun. door-keepers to the Senate, each,	-	-	-	740	0	0
To Mrs. Hyland for cleaning the Capitol,	-	-	-	200	0	0

*Ordered*, That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That Miles Selden, jun. be allowed the sum of four hundred pounds, for house rent and his care of the public records at Richmond from October 1778, to the end of this session of Assembly.

*Ordered*, That Mr. Wilkinson do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "for filling up the quota of troops of this State in the continental army;" and that General Nelson do prepare and bring in the same.

A message from the Senate by Mr. Coles.

**MR. SPEAKER**,—The Senate have agreed to proceed this day, by joint ballot with your House, to the choice of a treasurer, in the room of George Webb, Esq. who hath resigned; and they have no person to add to the list of persons nominated for that appointment. And then he withdrew.

The House proceeded, according to the order of the day, by joint ballot with the Senate, to the appointment of a treasurer; and the members having prepared tickets for the person to be appointed, and put the same into the ballot glasses, Messrs. Tazewell, Wilkinson, Mason and Tyler, were nominated a committee to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and to report to the House on whom the majority of votes should fall.

*Ordered*, That Mr. Tazewell do acquaint the Senate therewith.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have added the name of George Webb, Esq. to the nomination of persons to be ballotted for as treasurer. And then he withdrew.

*Ordered*, That a message be sent to the Senate to inform them that in consequence of a message from their House, purporting that they were satisfied with the nomination of persons to be ballotted for as treasurer, and had no other person to add thereto, this House had proceeded to ballot, had deposited their tickets in the ballot glasses, and a committee to examine them were attending in the conference chamber, when their message by Mr. Lee was delivered, and therefore that this House cannot now admit the name of any person whatever to be added to the said nomination; and that Mr. Mason do carry the said message.

A message from the Senate by Mr. Lee.

MR. SPEAKER,—The Senate have agreed to the resolution that George Webb, Esq. late treasurer, be empowered to continue in office until Tuesday next. They do also recede from their nomination of the same gentleman to be ballotted for as treasurer. And then he withdrew.

*Ordered*, That the committee appointed to examine the ballot glasses for a treasurer do now withdraw.

The committee accordingly withdrew; and after some time returned into the House, and reported, that they had met a committee from the Senate in the conference room, and had jointly with them examined the ballot glasses, and found a majority of votes to fall on George Brooke, Esq.

*Resolved*, That George Brooke, Esq. be appointed treasurer of this Commonwealth, in the room of George Webb, Esq. who hath resigned.

*Ordered*, That Mr. Tazewell do carry the resolution to the Senate, and desire their concurrence.

General Nelson presented, according to order, a bill, "for filling up the quota of troops of this Commonwealth in the continental army;" and the same was received and read the first time, and ordered to be read a second time.

General Nelson presented, according to order, a bill, "to augment and support the civil and military establishments in the county of Illinois;" and the same was received and read the first time.

A motion was made, and the question being put, that the said bill be read a second time on the first day of March next,

It was resolved in the affirmative.

An engrossed bill, "to amend so much of the several acts of Assembly, which empower the county courts to make provision for the support of the wives, parents, and families of the soldiers of this State, in the service of this Commonwealth or in the service of the United States," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, to amend so much of the several acts of Assembly, which empower the county courts to make provision for the support of the wives, parents, and families of the soldiers of this State, in the service of this Commonwealth or in the service of the United States."

*Ordered*, That Mr. Lee do carry the bill to the Senate and desire their concurrence.

"filling up the quota of troops of this State in the continental army," was read the second time, and ordered to be committed to a committee of the whole House to-morrow.

The Speaker laid before the House a letter from the Governor, containing information respecting an invasion of this State, by a body of the enemy's troops from New-York, and referring to several letters and papers on the subject thereof; and the said letters and papers were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolutions appointing George Brooke, Esq. treasurer of the Commonwealth, and for paying a sum of money to Miles Selden, jun.; also they have agreed to the bill, "for establishing a fund to borrow money for the service of the United States, and for other purposes;" and to the bill, "for making an adequate provision for the officers of government," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, were, on the question put thereon, disagreed to.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

*Resolved*, That the Rev. James Madison and the Rev. Robert Andrews be allowed three hundred pounds for their trouble in going to Baltimore to meet commissioners from the State of Pennsylvania to fix the boundary line between the two States.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the state of the Commonwealth under their farther consideration,

and agreed to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth :

*Resolved*, That the report from the commissioners appointed by this Commonwealth, to meet commissioners from the State of Pennsylvania to consider of a line proper to be established as a boundary between the two States, be referred to the next session of Assembly; and that General Lewis, Thomas Lewis, and James Innes of Yohogania, Esquires, or any two of them, be appointed to inquire in what manner the rights of this Commonwealth and of its citizens will be affected by the terms of the agreement between the said commissioners; that they collect the best information they can upon the subject, and report their proceedings thereon to the said next session of Assembly.

*Ordered*, That Mr. Braxton do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Lee :

MR. SPEAKER,—The Senate adhere to all their amendments disagreed to by this House, to the bill “for making an adequate provision for the officers of Government.” And then he withdrew.

The said amendments being read, and the question put, that this House do recede from their disagreement thereto,

It was resolved in the affirmative.

*Ordered*, That Mr. Tazewell do acquaint the Senate therewith.

A message from the Senate ~~by Mr. Lee~~.

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to the Rev. James Madison and Robert Andrews; also they have agreed to the bill, “for explaining and amending an act, entitled ‘an act for adjusting and settling the titles of claimers to unpatented lands under the present and former government previous to the establishment of the Commonwealth’s land office,’ with several amendments, to which they desire the concurrence of this House; and to the bill, “to repeal so much of the several acts of Assembly which empower the county courts to make provision for the support of the wives, parents, and families of the soldiers in the service of this Commonwealth, in the service of the United States, and for other purposes,” with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The amendments to the first of the said bills being read, were, on the question put thereupon, disagreed to by the House.

*Ordered*, That Mr. Edmondson, do acquaint the Senate therewith.

The amendment to the second bill was read, and on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

And then the House adjourned till to-morrow morning, 9 o’clock.

FRIDAY, December 24, 1779.

*Resolved*, That George Webb, Esq. who hath resigned his office of treasurer of this Commonwealth, be empowered and desired to act in the said office of treasurer until Tuesday the 28th of this instant, December.

*Ordered*, That Mr. Mason do carry the resolution to the Senate, and desire their concurrence. *doct. l. w. s.*

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the state of the Commonwealth under their farther consideration, and had gone through the same, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, amended, and agreed to by the House, as followeth :

*Resolved*, That it be recommended to the Governor, with the advice of the Council, immediately to call into service such number of the militia from the most convenient counties as they may think necessary for the defence of the lower parts of the country, to check the operations of the enemy, and enable the inhabitants to make a stand, until a body of militia can be collected from the more distant counties; and that the most expeditious means be used to lay in magazines of provisions and other necessities, unless he shall receive such intelligence as may remove the apprehensions of the threatened invasion.

*Resolved*, That it be recommended to the Governor, with the advice of the Council, to take such measures as they shall judge most expedient for the defence of the town of York, and the ships of our good Allies in that port, if the same shall be adjudged practicable, and also for the defence of the most important passes in the counties of Norfolk, Princess Anne, or Nansemond, for the protection of that part of the country.

*Resolved*, That it be recommended to the Governor, with the advice of the Council, to issue immediate orders to the commanding officers of the different counties on the east side of the Alleghany mountains, to hold one-third part of their militia in readiness to march at the shortest warning, to such place as may be necessary, in case an invasion should take place.

*Resolved*, That it be recommended to the Governor, with the advice of the Council, in case an invasion should



actually take place, to enlist, upon the best terms in his power, such number of men out of the militia as he may think necessary, to serve during the said invasion, to be formed into companies or regiments, and commanded by such officers as he, with the advice aforesaid, shall direct, and that the General Assembly will provide for the expenses thereof.

*Resolved*, That it be recommended to the Governor, with the advice of the Council, to apply to the State of North Carolina for aid in troops and provisions, if the same shall be necessary, more especially for the defence of Princess Anne, Norfolk, and the adjacent counties, and also to the State of Maryland, in case assistance should be necessary from thence.

*Resolved*, That the General Assembly will make good any sums of money which may be advanced by any of the good citizens of this State, upon the present emergency, and that the same shall be repaid with interest out of the first money coming into the treasury, not appropriated to the payment of the requisitions from Congress.

*Resolved*, That it be recommended to the Governor, with the advice of the Council, to issue orders to a sufficient number of the militia in the counties adjacent to the barracks in Albemarle, to hold themselves in readiness to remove the British prisoners there, to such parts as may be found expedient; and that in case an actual invasion should take place, the said prisoners be removed accordingly, and that they be either kept together, or at different places, as the executive, in their discretion, shall think best, and the officers separated from the privates.

*Resolved*, That the Governor, with the advice of the Council, be empowered to authorise the superior officer of the troops upon the establishment of this Commonwealth, to take the command of all the said troops in the eastern department, and issue orders to them accordingly.

*Resolved*, That the Governor, with advice of the Council, be desired to suspend the sale of the galleys till the apprehensions of an invasion shall be removed; that they be ordered into such of the rivers as he, with the advice aforesaid, shall judge are most exposed to the enemy; and that they be kept in readiness, to act in concert with any troops that may be embodied for the defence of the State.

*Resolved*, That the Governor be empowered, with advice of the Council, in case of actual invasion, if necessity require, to cause provisions or other necessities to be pressed by proper officers for the support of the militia and other troops, taking care to direct that proper receipts or certificates be given to the owners of such provisions or other necessities, and that sufficient quantities of provision be left for the payment of the specific tax, and for the support of the respective families from whom they may be so pressed; and it is farther resolved and directed, that the receipts and certificates so to be given shall be laid before the next session of Assembly for payment.

*Ordered*, That Mr. Mason do carry the resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Griffin:

MR. SPEAKER,—The Senate do insist on their amendments disagreed to by this House, to the bill “for explaining and amending an act, entitled ‘an act for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth’s Land Office. And then he withdrew.

The said amendments being read,

*Resolved*, That this House doth recede from their disagreement to the first amendment, and doth adhere to their disagreement to the last amendment to the said bill.

*Ordered*, That Mr. Edmondson do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill “for filling up the quota of troops of this State in the continental army;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Rutherford:

MR. SPEAKER,—The Senate have agreed to the resolutions respecting the boundary line with Pennsylvania. For making certain allowances to the officers of the General Assembly. And for empowering the Governor and Council to employ a sufficient force, and take other effectual means to oppose the expected invasion. And then he withdrew.

An engrossed bill, “for filling up the quota of troops of this State in the continental army,” was read the third time.

*Resolved*, That the bill do pass, and that the title be, “an act for filling up the quota of troops of this State in the continental army.”

*Ordered*, That Mr. Braxton do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Griffin:

MR. SPEAKER,—The Senate do recede from their second amendment to the bill “for explaining and amending the act, ‘for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth’s Land Office.’” Also they have agreed to the bill “for filling up the quota of troops of this State in the continental army.” And then he withdrew.

Mr. Pride reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, inspected several others, and found them to be truly enrolled.

*Ordered*, That Mr. Pride do carry the bills to the Senate, for their inspection.

*Resolved*, That it be an instruction to the Virginia delegates in Congress, to use their endeavors to procure a settlement of public accounts since the commencement of the present war, stating the expenditure of each year under distinct heads; that they give the strongest assurances to Congress of the cheerfulness with which Virginia will bear her share of the burthen of the present war, until it shall please the Supreme Disposer of events, to grant us peace upon safe and honorable terms; and that although the General Assembly hath made provisions for complying with the demands of Congress to the utmost extent of their requisitions, yet they cannot help observing, with very great concern, that no account of expenditures, or of the application of the public money, has ever yet been laid before them; and also, that Congress be informed, they do insist upon it as their right, and of justice due to the Commonwealth, that an account and estimate of future requisitions for the service of the United States, distinguished under their proper heads, ought to be annually transmitted to the General Assembly.

*Ordered*, That Mr. Mason do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the delegates to Congress from this State be informed, that the Legislature of this Commonwealth are greatly alarmed at the assumption of power lately exercised by Congress, in some resolutions respecting the prices of provisions, &c. to be furnished the continent. While the right of recommending measures to each State by Congress is admitted, we contend for that of judging of their utility and expediency, and of course either to approve or reject. In the exercise of this right we cannot submit or acquiesce in the declaration of making any State answerable for not agreeing to any of their recommendations, which would establish a dangerous precedent against the authority of the legislature, and the sovereignty of the separate States.

*Ordered*, That Mr. Braxton do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That when this House adjourns it will adjourn to the 31st day of March next.

*Ordered*, That Mr. Lee do acquaint the Senate therewith.

A message from the Senate by Mr. Griffin:

MR. SPEAKER,—The Senate have examined several other enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. Also they have agreed to several resolutions, containing certain instructions to the delegates of this Commonwealth in Congress. And then he withdrew.

A message from the Senate by Mr. Adams:

MR. SPEAKER,—The Senate have received your message respecting the time of adjournment agreed to by the House of Delegates, and have directed me to inform you that they propose to adjourn themselves to the first Monday in May next. And then he withdrew.

*Ordered*, That the clerk of this House do remove, at the public expense, the books, papers and records of this House, together with such of the books, papers and records of the General Assembly, as are in his possession, to the town of Richmond, in the county of Henrico, previous to the next session of the General Assembly.

The Speaker signed the following enrolled bills:

"An act to regulate and ascertain the number of land forces to be kept up for the defence of the State."

"An act for the recovery of arms, cattle, horses, or other property belonging to the Commonwealth and to the United States."

"An act to regulate the navy of this Commonwealth."

"An act for the protection and encouragement of the commerce of nations acknowledging the independence of the United States of America."

"An act to prevent the misapplication of the money collected for taxes."

"An act for raising a supply of money for the service of the United States."

"An act providing a farther supply for the exigencies of government."

"An act for establishing a fund to borrow money for the service of the United States, and for other purposes."

"An act to confirm the titles of purchasers of escheated and forfeited estates."

"An act to amend the act establishing a Board of War."

"An act to repeal and amend part of an act, entitled 'an act to amend an act, entitled 'an act for reviving several public warehouses for the inspection of tobacco, and for other purposes.'"

"An act for making an adequate provision for the officers of government."

"An act to repeal so much of the several acts of Assembly which empower the county courts to make provision for the support of the wives, parents and families of the soldiers of this State, in the service of this Commonwealth, or in the service of the United States, and for other purposes."

"An act for explaining and amending an act, entitled 'an act for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth's Land Office.'"

"An act for filling up the quota of troops of this State in the continental army."

And then the House adjourned until the 31st day of March next.

# JOURNAL

OF THE

## HOUSE OF DELEGATES

OF THE

COMMONWEALTH OF VIRGINIA;

BEGUN AND HELD IN THE TOWN OF RICHMOND,

*In the County of Henrico,*

*ON MONDAY, THE FIRST DAY OF MAY, IN THE YEAR OF OUR LORD ONE  
THOUSAND SEVEN HUNDRED AND EIGHTY.*

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RICHMOND:

PRINTED BY THOMAS W. WHITE, OPPOSITE THE BELL-TAVERN.

.....  
1827.





# JOURNAL

OF THE

## HOUSE OF DELEGATES.

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### GENERAL ASSEMBLY.

*BEGUN* and held at the town of Richmond, in the county of Henrico, on Monday, the 1st day of May, in the year of our Lord, one thousand seven hundred and eighty, in the buildings provided by the Public Directors, pursuant to the Act for the removal of the Seat of Government.

On which day, being the day appointed by law for the meeting of the General Assembly, the oaths required to be taken by the delegates were administered by the Privy Council to such of the members as appeared; after which, they repaired to their seats in the House of Delegates.

But a majority of the whole number not being present,  
The House adjourned till to-morrow morning, 11 o'clock.

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TUESDAY, May 2, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.  
But the number not being sufficient to proceed to business,  
The House adjourned till to-morrow morning, 11 o'clock.

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WEDNESDAY, May 3, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.  
But the number not being sufficient to proceed to business,  
The House adjourned till to-morrow morning, 11 o'clock.

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THURSDAY, May 4, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.  
But the number not being sufficient to proceed to business,  
The House adjourned till to-morrow morning, 11 o'clock.

## FRIDAY, May 5, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.  
 But the number not being sufficient to proceed to business,  
 The House adjourned till to-morrow morning, 11 o'clock.

## SATURDAY, May 6, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.  
 But the number not being sufficient to proceed to business,  
 The House adjourned till Monday morning, 11 o'clock.

## MONDAY, May 8, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.  
 But the number not being sufficient to proceed to business,  
 The House adjourned till to-morrow morning, 11 o'clock.

## TUESDAY, May 9, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.

*Ordered*, That Mr. John Beckley be appointed clerk of this House.

General Nelson, a delegate for the county of York, reminded the House of the necessity of proceeding to the choice of a Speaker, and recommended Benjamin Harrison, Esq., a member for the county of Charles City, as a person who, on several former occasions, had given undeniable proofs of his abilities and integrity in the discharge of that important office. He was seconded by Richard Lee, Esq., a delegate for the county of Westmoreland.

Whereupon, Mr. Harrison being elected Speaker of this House without opposition, he was conducted to the chair, from whence he made his acknowledgments to the House for the honor they had been again pleased to confer on him; which, he said, was the more acceptable, as it afforded an evidence that his former endeavors, in the discharge of that trust, had been approved by the House; and he then requested their particular attention to the rules of the House, the preservation of good order, and a punctual discharge of their duty.

*Ordered*, That the Rev. Mr. Miles Selden be appointed chaplain to this House, and that he attend to read prayers at nine o'clock every morning.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith.

*Ordered*, That Mr. Freeman Eppes be appointed serjeant at arms to this House.

*Ordered*, That William Hicks, John Creagh, William Drinkard and Daniel Hicks, be appointed door-keepers to this House, and that they give their attendance accordingly.

The Speaker laid before the House a letter from the Governor, enclosing several others addressed to the executive, and sundry resolutions of Congress, with other papers, and stating several matters for the consideration of the General Assembly; and the said letters, papers and resolutions being read, were ordered to lie on the table.

*Ordered*, That leave be given to bring in a bill, "to embody militia for the relief of South Carolina;" and that Messrs. Richard Henry Lee, Starke, Gen. Nelson, Lawson, Innes, Meade, Carrington and Lyne, do prepare and bring in the same.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to take into their consideration the state of the Commonwealth.

*Ordered*, That the letters and papers from the Governor, which were ordered to lie on the table, be referred to the committee of the whole House on the state of the Commonwealth.

The Speaker laid before the House a letter from the Governor, enclosing one from the Hon. Thomas Blackburne, Esq., a member of the Privy Council, or Council of State, containing his resignation of that appointment; which were read and ordered to lie on the table.

The Speaker laid before the House a letter from the Hon. John Page, Esq., a member of the Privy Council, or Council of State, containing his resignation of that appointment; which was read and ordered to lie on the table.

*Ordered*, That a committee for Religion be appointed.

And a committee was appointed, of Messrs. Carrington, Starke, Pride, Peebles, Hooe, Goodall, Norvell, William Watkins, Southall, Goode, Moseley, Washington, Wills and McDowell; and they are to meet and adjourn from day to day, and to take under their consideration all matters and things relating to religion and morality, and all such



as shall be from time to time referred to them, and report their proceedings, with their opinions thereupon, to the House; and the said committee are to have power to send for persons, papers and records, for their information.

*Ordered*, That a committee of Privileges and Elections be appointed.

And a committee was appointed, of Messrs. Braxton, Richard Henry Lee, Wilson Miles Cary, General Nelson, Cocke, Edmondson, Richard Lee, Pride, John Taylor of Caroline, Randolph, Strother, Pickett, Napier, William Mayo, Tyler, Francis Peyton, Reynolds, and Thomas Johnson; and they are to meet and adjourn from day to day, and to examine in the first place, all returns of writs for electing delegates to serve in this present General Assembly, and to compare the same with the form prescribed by law; and to take into their consideration, all such matters as shall or may come in question, touching returns, elections and privileges, and to report their proceedings, with their opinions thereupon, from time to time, to the House; and the said committee are to have power to send for persons, papers and records, for their information.

*Resolved*, That in all cases of controverted elections to be heard at the bar of this House, or before the committee of Privileges and Elections, the petitioners do by themselves or by their agents, within a convenient time, to be appointed either by the House or the committee of Privileges and Elections, as the matter to be heard shall be before the House or the said committee, deliver to the sitting members or their agents, lists of the persons intended by the petitioners to be objected to, who voted for the sitting members, giving in the said lists the several heads of objection, and distinguishing the same against the names of the voters excepted to, and that the sitting members do by themselves or their agents, within the same time, deliver the like lists on their parts to the petitioners or their agents.

*Ordered*, That a committee of Propositions and Grievances be appointed.

And a committee was appointed, of Messrs. Richard Henry Lee, General Nelson, Fitzhugh, Innes, Lawson, Wilson Miles Carey, Strother, Tyler, Lyne, Edmondson, Thomas Johnson, Hooe, Goode, Jones, Pickett, William Watkins, Southall, Carrington, Garland, Stubblefield, Francis Peyton, Wilkinson, John Taylor of Caroline, Cocke, Randolph, Meade, Lowrey, Joel Watkins, Fleming, Chilton, Underwood, Sampson, Thomas Peyton, Hardy, Chapman, John Watkins, Field, Starke, Rogers, Richard Baker, Thomas Smith, Richard Anderson, Gordon, Helm, Nalle, William Campbell, Taliaferro, Landon Carter, Glenn, Posey, Lankford, Moseley, Bibb, Digges, West, Isaac Davis, Goodall and Tazewell; and they are to meet and adjourn from day to day, and to take into their consideration all Propositions and Grievances that shall come legally certified to this Assembly, and to report their proceedings, with their opinions thereupon, to the House; and all such propositions and grievances are to be delivered to the clerk of the House, and by him to the said committee of course; and the said committee are to have power to send for persons, papers and records, for their information.

*Ordered*, That a committee for Courts of Justice be appointed.

And a committee was appointed, of Messrs. Fleming, Lawson, Lyne, Tazewell, John Taylor of Caroline, Tyler, Hardy, Innes, Reynolds, Thomas Peyton, Thomas Johnson, William Mayo, Bailey Washington, Fitzhugh, and Martin; and they are to meet and adjourn from day to day, and to take into their consideration all matters relating to Courts of Justice, and such other matters, as shall from time to time be referred to them, and report their proceedings, with their opinions thereupon, to the House; and the said committee are to inspect the Journals of the last session, and to draw up a state of the matters then depending and undetermined, and the progress that was made therein, and report the same to the House; and also to examine what laws have expired since the last session, and inspect such temporary laws as will expire with the end of this session, or are near expiring, and report the same to the House, with their opinions, which of them are fit to be revived and continued; and the said committee are to have power to send for persons, papers and records, for their information.

*Ordered*, That a committee of Trade be appointed.

And a committee was appointed, of Messrs. Richard Lee, Starke, Joseph Jones, Edmondson, Lyne, Reynolds, Pickett, Digges, Wills, Meade, Napier, Underwood, Goodall, Wilkinson, Southall, Landon Carter, Lankford, Helm, Thomas Smith, Thomas Terry, Nalle and Burnley; and they are to meet and adjourn from day to day, and to take into their consideration all things relating to the trade of this Commonwealth, and all matters that shall be from time to time to them referred, and to report their proceedings, with their opinions thereupon, to the House; and the said committee are to have power to send for persons, papers and records, for their information.

*Resolved*, That eleven of the committee of Propositions and Grievances; seven of the committee of Privileges and Elections; and five of any other committee, be a sufficient number to make a committee.

*Ordered*, That Mr. Edmund Pendleton, jun. be appointed clerk to the committees of Privileges and Elections and Propositions and Grievances; and Mr. Adam Craig, clerk to the committees for Religion, Courts of Justice, and Trade.

And then the House adjourned till to-morrow morning, 10 o'clock.

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WEDNESDAY, May 10, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.

A petition of William Harvey, was presented to the House, and read; complaining of an undue election and re-

turn of Thomas Moore, Esq. a delegate returned to serve in this present General Assembly, for the county of Middlesex; and praying that the election of the said Thomas Moore, Esq. may be set aside.

*Ordered*, That the said petition be referred to the committee of Privileges and Elections; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The Speaker laid before the House, a letter from Francis Lightfoot Lee, Esq. suggesting doubts as to the legality of his election, and return, to serve as a delegate in this present General Assembly for the county of Richmond, which was read and ordered to be referred to the committee of Privileges and Elections.

A petition of Thomas Batte, jun. and others, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that it would be of more general public convenience to discontinue the old ferry, commonly called Batte's ferry, in Chesterfield county, and establish a new ferry from the land of the said Thomas Batte, higher up Appomattox river, to the town of Broadway; and praying that an act may pass to that effect.

Also, a petition of sundry inhabitants of the town of York, in the county of York, whose names are thereunto subscribed; setting forth, that the trade and inhabitants of the said town, have of late considerably increased; that for want of a regular police, disorders and irregularities have prevailed, notwithstanding the most vigilant exertions of the magistrates; and praying that the said town may be incorporated and enlarged.

Also, a petition of the magistrates of the county of Spottsylvania, whose names are thereunto subscribed; setting forth, that so much of a late act of Assembly, for the removal of their courthouse, as directs that the courts shall continue to be held at Fredericksburg, until the new courthouse is finished, hath produced inconvenience to the people, and praying that an act may pass, to empower the magistrates to hold courts at the house of Mr. John Hollady, until the new courthouse is completed.

Also, a petition of the inspectors of tobacco at Quantico and Dumfries warehouses; setting forth, that from the great depreciation of the paper currency, the salaries allowed them by law are become far inadequate to their services; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That the captain of the Dragon, armed ship, in the service of this State, be desired to send the bell belonging to the said ship to the town of Richmond, for the use of the General Assembly.

*Ordered*, That Mr. Richard Henry Lee do carry the said resolution to the Senate, and desire their concurrence.

*Ordered*, That a committee be appointed to take into consideration the situation of the eastern frontier of this State, and to form a plan of defence for the same, and that they make their report to the House.

And a committee was appointed, of Messrs. Richard Henry Lee, General Nelson, Lawson, Hardy, Starke, Carrington, Cary, Innes, Hutchings, Wills, Taylor, Meade, Page, Tazewell and Tyler.

A motion was made, that the House do agree to the following order:

*Ordered*, That henceforth no business be introduced, taken up, or continued, after twelve of the clock in the forenoon, other than the orders of the day; and that among such orders, supply bills, and all such as relate to making provision for the war, shall have priority of consideration; and that the next in order shall be those which concern the community in general, in preference to such as are of a local or private nature; and that Mr. Speaker consider it his duty to put this order into strict and regular execution.

And the said order being read a second time, the amendment following was proposed to be made thereunto: to leave out "and that Mr. Speaker consider it his duty to put this order into strict and regular execution."

And the question being put, that the words "and that Mr. Speaker consider it his duty to put this order into strict and regular execution," stand part of the order,

It passed in the negative.

And then the main question being put, that the House do agree to the said order so amended,

It passed in the negative.

*Ordered*, That Mr. Andrew Moore, be added to the committee for Religion; Messrs. Hutchings and Lyne, to the committee of Privileges and Elections; and Messrs. Page and Andrew Moore, to the committee of Propositions and Grievances.

A petition of William Criddle, was presented to the House, and read; setting forth, that the pension allowed him by a former Assembly, for wounds and injuries received while a soldier in the service of his country, hath from the great depreciation of the paper currency, become altogether inadequate to his support; and praying further relief.

Also, a petition of James Williams to the same effect.

Also, a petition of Hugh Wallace to the same effect.

Also, a petition of Larkin Chew to the same effect.

Also, a petition of William Archer and Stephen Goodwyn, inspectors at Bolling Brook warehouses; setting forth, that on the sixth of March last, the said warehouses were broken open and a quantity of tobacco stolen thereout, for which the petitioners had been obliged to pay the proprietors; and praying to be relieved.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Richard Henry Lee presented, according to order, a bill "to embody militia for the relief of South Carolina:" and the same was received and read the first time, and ordered to be read a second time.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### THURSDAY, May 11, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.

*Ordered*, That Messrs. Hutchings and Norvell be added to the committee of Trade.

*Ordered*, That the committee for Courts of Justice be discharged from reporting from the Journals of the last session the several petitions and propositions then depending and undetermined; and that such petitions and propositions be delivered by the clerk, of course, to the proper committees.

A bill, "to embody militia for the relief of South Carolina," was read the second time, and ordered to be committed to a committee of the whole House to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### FRIDAY, May 12, 1780.

*Ordered*, That the chaplain be desired to read prayers every morning, at 7 o'clock.

*Ordered*, That Mr. Strother do acquaint the Senate therewith.

*Ordered*, That Mr. Starke have leave to be absent from the service of this House until this day se'nnight.

Mr. Braxton reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration the letter of Francis Lightfoot Lee, Esq. to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That as the said Francis Lightfoot Lee, had neglected to take the oath of allegiance to this State, prior to his being elected a delegate to serve in this present General Assembly for the county of Richmond, he was ineligible to that office.

Mr. Fitzhugh reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers magistrates of the county court of Spotsylvania, praying that an act may pass to empower them to hold their sessions at the house of John Holladay, in the said county, until the new courthouse shall be completed, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the town of York, praying that an act may pass for erecting the said town into a corporation, with power to make by-laws for the good government of the said town and repairing the streets and landings, and that the land on the said water side may be added to and made part of the said town, is reasonable.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions; and that the committee of Propositions and Grievances do prepare and bring in the same.

*Ordered*, That a writ issue for the election of a delegate to serve in this present General Assembly, for the county of Richmond, in the room of Francis Lightfoot Lee, Esq. who was ineligible at the time of his election.

*Ordered*, That leave be given to bring in a bill, "for the better regulation and discipline of the militia;" and that General Nelson, Messrs. Fleming, Tazewell, Richard Henry Lee, Tyler, Taylor of Caroline, Braxton, Lawson, Innes, Randolph, Lyne, Page and Meade, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "for more effectually providing against invasions and insurrections;" and that General Nelson, Messrs. Fleming, Tazewell, Richard Henry Lee, Tyler, Taylor of Caroline, Braxton, Lawson, Innes, Randolph, Lyne, Page and Meade, do prepare and bring in the same.

A petition of Charles De Klamman, was presented to the House, and read; setting forth, that by an act of the last session of Assembly, he finds himself discharged from the service of this State, as a major to one of the additional battalions, ordered to be raised by a preceding act; that at the time of his promotion as a major, by the Governor and Council, he was a captain in the State regiment of artillery, which commission he still retains, although superceded in consequence of that promotion; that in this situation, he remains without pay or any other military benefit: and praying relief.



Also, a petition of John Welsh; setting forth, that the pension heretofore allowed him for wounds and injuries received while a soldier in the service of his country, bath from the great depreciation of the paper currency, become insufficient for the purposes intended; and praying farther relief.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Messrs. Clarkson & Davis, the public printers, was presented to the House, and read; setting forth, that notwithstanding their utmost endeavors, they have not been able to procure a house in the town of Richmond, proper for the exercise of the public printing business under their direction; that the salary heretofore allowed them by the General Assembly, is become very inadequate to the purposes for which it was intended; and praying that farther time may be allowed them to procure a proper printing house in Richmond, that they may be continued public printers, and their salary increased.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Amelia, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they conceive the present constitution of parish vestries is a public grievance; that doubts have arisen as to the validity of marriages solemnized by dissenting ministers; and praying that the vestries in the several parishes may be dissolved, and elected hereafter by the free voice of the people; and that marriages solemnized by dissenting ministers may be declared lawful.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to embody militia for the relief of South Carolina;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, they had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, upon the said bill.

*Ordered*, That Mr. Newton be added to the committee appointed to prepare a plan of defence for the eastern frontier; and Mr. John Hill Carter, to the committee of Propositions and Grievances.

*Ordered*, That leave be given to bring in a bill, "to repeal the act, establishing a Board of War;" and one other act, "establishing a Board of Trade;" and "appointing a commissioner of the navy, a commissary of military stores, and a mercantile agent;" and that Messrs. Page, Starke, General Nelson, Lyne and Richard Lee, do prepare and bring in the same.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, May 13, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.

The Speaker laid before the House, a letter from John Harvie, Esq. Register of the Land Office, on the subject of the land law and fees allowed the register, which was read, and ordered to be referred to the committee of Propositions and Grievances.

*Ordered*, That Mr. Innes be added to the committee appointed to prepare and bring in a bill, "to repeal the act, establishing a Board of War," and one other act, "establishing a Board of Trade," and "appointing a commissioner of the navy, a commissary of military stores, and a mercantile agent;" Mr. M'Dowell, to the committee of Propositions and Grievances; Mr. Wray, to the committee appointed to prepare a plan of defence for the eastern frontier; and Messrs. Wray and Martin, to the committee for Religion.

*Resolved*, That Messrs. Dixon and Nicholson be appointed printers to the Commonwealth.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

A petition of the inspectors at Royston's and Fredericksburg warehouses, was presented to the House, and read; setting forth, that the allowance of five dollars per hogshead for inspecting tobacco, is very inadequate to their services; and praying a farther allowance.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill, "to empower the freeholders of such counties as may have a representative attending his duty in Congress, to elect a temporary representative in his stead;" and that Messrs. Landon Carter, Lyne and Tazewell, do prepare and bring in the same.

A petition of Archibald Compton, was presented to the House, and read; setting forth, that the pension granted

him by a former Assembly, in consideration of wounds and injuries received while a soldier in the service of the Commonwealth, hath from the great depreciation of the paper currency, become very inadequate to his support; and praying farther relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to embody militia for the relief of South Carolina;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and had made a farther progress therein, but not having time to go through the same, they had directed him to move the House for leave to sit again.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House, on the said bill.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

### MONDAY, May 15, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.

A motion was made, that the House do come to the following resolution:

Whereas, the particular interests of this State, as well as the general interests of the United States, require that every possible means should be suppressed of giving information or intelligence, respecting the measures pursued by this State to oppose the designs of the common enemy, and the vicinity to this place of the Flag of Truce, now lying at Rockett's landing, conjoined to the free and unrestrained egress and regress of the British Saratoga officers thereto, may have afforded such means, and thereby the designs of the legislature, now convened in Richmond, be frustrated, unless prevented by a policy warranted on every just principle: therefore,

*Resolved*, That the Governor and Council, be desired to detain the said Flag, until the further direction of the legislature; and that they do also take order, as well to remove the said Flag of Truce from the vicinity of this town, and to place her under a proper guard, at a more remote and less exceptionable situation, as to direct all officers of the Convention troops now in this place, or otherwise absent from their barracks, in any other part of the State, to repair thither, forthwith.

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lyne do carry the resolution to the Senate, and desire their concurrence.

Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, the petition of Major Charles de Klauman, to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

It appears to your committee, that the said Charles de Klauman was, on the 16th day of February, 1779, appointed by the Governor and Council, to inspect the different magazines of powder, arms, &c. in this State; that he acted under that appointment for twelve months. It farther appears to your committee, that on the 22d of July last, the said Charles de Klauman was appointed to a majority of one of the battalions ordered to be raised for the defence of this State; that in consequence of such an appointment, he received orders from the Board of War, on the 27th day of August following, to superintend and expedite the collection of the levies intended to compose the said battalions; that he hath not received any pay for his services as inspector of the magazines, nor hath he received any pay as a major, nor drawn the quantity of clothing which he is entitled to by law.

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the petition of the said Charles de Klauman, is reasonable; and that he ought to be allowed and paid by the public the sum of three thousand and seventy-eight pounds, for his services as inspector of the magazines; and for his pay and deficiency of clothing, to which he was entitled under his appointment to a majority.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A petition of Rees Thomas, was presented to the House, and read; setting forth, that some time in the year 1777, a horse, together with gear and harness for four horses, was impressed into the public service, out of a wagon and team belonging to the petitioner; for which he has never received any satisfaction, although he has made application for the same; and praying to be made compensation.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Thomas Harrison, was presented to the House, and read; setting forth, that he has laid off fifty acres of land into one acre and half acre lots, adjoining the courthouse of Rockingham county, which for its central

and publicly advantageous situation, hath been placed on his land; that he hath sold some, and engaged others of the said lots, the purchasers whereof are preparing to build thereon; and praying that the said lots, so laid off, may be established a town by act of Assembly.

Also, a petition of sundry inhabitants of the county of Rockingham, whose names are thereunto subscribed; setting forth, that the time limited by law for surveying and returning entries to land under pre-emption rights being expired, hath produced great inconvenience and injury; and praying that the time limited for that purpose, may be extended.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "to embody militia for the relief of South Carolina;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill again under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report, when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

The Speaker laid before the House, a letter from the Governor, enclosing several others addressed to the executive, giving intelligence of the situation of affairs in South Carolina; which were read, and ordered to lie on the table. A motion was made, that the House do come to the following resolution:

*Resolved*, That the Governor be desired, with the advice of Council, to furnish the State of North Carolina, with such number of arms as can be spared from the public magazines of this State.

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, May 16, 1780.

Another member, having taken the oaths required by law, took his seat in the House.

A petition of William Mitchell, was presented to the House, and read; setting forth, that he hath paid the sum of 494l. 10s., in discharge of an account, incurred by the late Capt. John Shield, for a surgeon and expenses during a languishing illness, occasioned by a wound in his thigh, received in the action at White Marsh, in the campaign of 1777, and of which he died; that the said Capt. Shield, left no estate to defray the expenses of his illness; and praying to be reimbursed.

Also, a petition of James Murdaugh; setting forth, that during the late invasion, a negro man slave of the petitioner's, was shot by a detachment of light horse belonging to the State, through mistake, on a supposition that he had eloped to join the enemy; and praying to be paid the value of the said slave.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Michael King, was presented to the House, and read; setting forth, that during the late invasion, while on duty as a captain of militia, he was surprised by a detachment of the enemy, and a horse belonging to the petitioner killed; and praying to be paid for the said horse.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

A petition of sundry inhabitants of the county of Orange, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that from the great extent of their county, much inconvenience hath been produced by their being obliged to attend to perform battalion duty, in general muster, twice a year; and praying that for the greater convenience of the people, the said county may be divided into two districts for that purpose.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill, "for the better regulation and discipline of the militia;" that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Prince William, whose names are thereunto subscribed, was presented to the House, and read; in opposition to a petition of sundry other inhabitants of the same county, presented to the last Assembly, praying for the removal of their courthouse.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Burnley, be added to the committees of Propositions and Grievances and Courts of Justice;



Mr. Wall, to the committees for Religion and Trade; and Mr. Godwin, to the committee of Propositions and Grievances.

*Ordered*, That leave be given to bring in a bill, "to regulate the election of members of General Assembly;" and that Messrs. Randolph, Tyler, Southall, Carrington, Brown, Strother, Pickett and Talbot, do prepare and bring in the same.

Mr. Braxton reported, from the committee of the whole House, the amendment made to the bill, "to embody militia for the relief of South Carolina;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same was again twice read, amended, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

*Ordered*, That leave be given to bring in a bill, "for the more equal distribution of intestates estates;" and that Messrs. Lyne, Fleming, Tyler, Hardie and Lawson, do prepare and bring in the same.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, May 17, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.

*Ordered*, That Messrs. General Lewis, Taylor of Norfolk, and Thorowgood, be added to the committee appointed to prepare a plan of defence for the eastern frontier; Messrs. Lowry and Taliaferro, to the committee of Privileges and Elections; Mr. Hoomes, to the committees of Propositions and Grievances and Trade; Messrs. Landon Carter and Richard Henry Lee, to the committee appointed to prepare and bring in a bill "to regulate the election of members of General Assembly;" and Mr. Taylor of Norfolk, to the committee of Trade.

A petition of John Cropper, jun. was presented to the House, and read; complaining of an undue election and return of Thomas Bayley, Esq., returned to serve as a delegate in this present General Assembly, for the county of Accomac; and praying that the election of the said Thomas Bayley may be set aside.

*Ordered*, That the said petition be referred to the committee of Privileges and Elections; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

An engrossed bill, "to embody militia for the relief of South Carolina;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to embody militia for the relief of South Carolina."

*Ordered*, That Mr. Richard Henry Lee do carry the bill to the Senate, and desire their concurrence.

A petition of Isaac Ramsbottom, was presented to the House, and read; setting forth, that while a soldier in the continental army, under the command of Captain Dickeson, he received a wound in the leg, in consequence of which he was discharged the service; and praying some compensation for the injury received.

Also, a petition of Willis Willson; setting forth, that during the late invasion, in order to facilitate an attempt upon one of the enemy's ships which ran aground, he did, by order of Col. Mathews, impress a horse belonging to John Phripp, of Princess Anne county, to procure boats to transport the troops and baggage to Portsmouth, in which service the said horse was lost; and praying to be indemnified.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Berkeley, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they conceive a ferry, crossing the river Potowmac, from the land of Joseph Mitchell to the land of Leaken Dorsey, on the Maryland shore, to be established from below the mouth of the falling waters, would be of public benefit and convenience; and praying that such ferry may be established by act of Assembly.

Also, a petition of the merchants and traders from several of the trading towns in this State, whose names are thereunto subscribed; setting forth, that so much of a late law as compels them to render, on oath, an account of all goods, wares and merchandizes sold within the last twelve months preceding the time of their assessment, being retrospective, is highly injurious and oppressive; that such other parts of the same law as imposes a tax on trade is unequal and unjust; and praying that the said law may be amended, or some more equal mode devised.

Also, a petition of sundry traders and retail dealers of the town of Winchester, whose names are thereunto subscribed, to the same effect.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Fitzhugh reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Thomas Harrison, praying that fifty acres

of land, which the petitioner hath laid off into lots and streets, adjoining the courthouse of the county of Rockingham, may be established a town, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the county of Rockingham, praying that the time fixed by law, for surveying and returning entries of land on the eastern waters, into the Registrar's office, may be extended, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the county of Prince William, praying that the place of holding courts in the said county may be altered, and fixed on the lands of John Randolph, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of divers other inhabitants of the said county in opposition thereto, is reasonable.

*Ordered,* That a bill or bills, be brought in pursuant to the first and second resolutions; and that the committee of Propositions and Grievances, do prepare and bring in the same.

*Ordered,* That the committee appointed to prepare and bring in a bill "to empower the freeholders of such counties as may have a representative attending his duty in Congress, to elect a temporary representative in his stead," be discharged therefrom; and that the committee appointed to prepare and bring a bill "to regulate the election of members of General Assembly," do receive a clause or clauses, for that purpose.

*Ordered,* That Mr. Brown have leave to be absent from the service of this House, until Monday se'nnight.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, May 18, 1780.

Another member, having taken the oaths required by law, took his seat in the House.

The Speaker laid before the House a letter from the Governor, stating several matters for the consideration of the General Assembly, and referring to several letters and papers enclosed on the subject thereof, which were read and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, several petitions to them referred, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, that John Shield, late a captain in the second State regiment, in continental service, (at present commanded by Col. William Brent) in the action at White Marsh, on the day of December, 1777, received a wound in his thigh, under which he languished some months in camp, and then, by leave of the commander in chief, was conveyed to the town of York, for the advantage of the immediate care of his relations and friends.

That he continued lingering under the said wound from the first day of August, 1778, to the sixteenth of January following, under the care of Doctor Mathew Pope (at that time surgeon to the garrison of the said town of York) and then died, leaving no estate to defray the expenses of his illness.

It further appears to your committee, that William Mitchell, his nearest friend, having engaged with the said Doctor Pope for the payment of his account, actually paid him the sum of four hundred and ninety-four pounds ten shillings, the amount of the same.

*Resolved, therefore, that it is the opinion of this committee,* That the petition of the said William Mitchell, praying to be reimbursed the amount of the said account, is reasonable; and that he ought to be allowed and paid by the public the said sum of four hundred and ninety-four pounds ten shillings, to be charged to the continent in account with this Commonwealth.

*Resolved, that it is the opinion of this committee,* That the petition of James Murdaugh, praying to be paid for a negro man slave, who was killed by a detachment of light horse while reconnoitering the enemy's lines, during the late invasion at Norfolk, as he was casually passing from the house of the petitioner to one of his neighbors, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of John Welsh, who served as a soldier in the last war, and was allowed a pension of five pounds, in consequence of the wounds he then received; and praying a further relief, be rejected.

*Ordered,* That Mr. Richard Lee do carry the first resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

*Resolved,* That a committee of nine members be chosen by joint ballot, to consider of Ways and Means for raising money to comply with the requisitions of the American Congress, and to defray the expenses of the current year; that they have power of calling for papers or other information from the public boards; and that they report thereupon to the House.



And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.  
*Resolved*, That this House will, to-morrow, proceed by ballot to the choice of the said members.

A petition of Dorothy Ege, was presented to the House, and read; setting forth, that the persons who apprehended Drury Hodges, one of the unhappy objects lately executed for horse stealing, shot a horse belonging to the petitioner which the said Hodges had stolen from her, and upon which he was attempting to make his escape; and praying to be paid for the said horse.

Also, a petition of Jane Stewart; setting forth, that about the time of the destruction of Norfolk, a negro fellow named Wig, belonging to the petitioner, was taken from Portsmouth by the State troops, and sent to the lead mines by order of the then executive; and praying that the said slave may be returned, and compensation made her for his past services.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Greenbrier, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that from the frequent incursions of the Indian enemy, they have been obliged to employ spies from the militia, but that the allowance made by law to those who perform that service is so inadequate that none can now be procured; and praying that the said allowance may be increased.

Also, a petition of sundry inhabitants of the county of Montgomery, whose names are thereunto subscribed; setting forth, that many inconveniences have arisen from the law "for adjusting and settling the titles of claimers to unpated lands and limiting the time for establishing pre-emption rights;" that from a combination of causes, they have been prevented from complying with the law "laying a tax, payable in certain enumerated commodities;" and praying that both the said laws may be so amended as to extend relief to the petitioners.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill "to amend the act, entitled 'an act for reviving several public warehouses for the inspection of tobacco,'" and that Messrs. Starke, Hooe, Page, Carrington, Southall, William Watkins, Goodall, Strother, Joseph Cabell, Henry, and Pickett, do prepare and bring in the same.

A petition of sundry inhabitants of the county of Amherst, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that from the scarcity of grain, owing, as well to the excessive drought last summer, as to the severity of the winter, they have been unable to comply with the act "laying a tax, payable in certain enumerated commodities;" and praying that the time limited for paying in their grain may be extended.

*Ordered*, That the said petition do lie on the table.

A petition of sundry inhabitants of the parish of Amherst, in the county of Amherst, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that there is great inequality in the present division line between the said parish and the parish of Lexington; and praying that the said line may be altered agreeable to certain boundaries therein expressed.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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### FRIDAY, May 19, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.

*Ordered*, That leave be given to bring in a bill, "for locating the public squares, and to enlarge the town of Richmond;" and that Messrs. Southall, Carrington, Wilkinson, Mayo, and Underwood, do prepare and bring in the same.

Mr. Fitzbugh reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the letter of John Harvie, Esq. to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That further time ought to be allowed the persons who have obtained certificates from the Commissioners for the pre-emption of lauds on the western waters, to pay the money for the same into the treasury, and obtain warrants.

*Resolved*, that it is the opinion of this committee, That no officer or soldier is entitled to more than a single bounty of lands for military service, although such service may have been performed in different corps.

*Resolved*, that it is the opinion of this committee, That the fees allowed by law to the Register of the Land Office, are inadequate to his services.



*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions; and that the committee of Propositions and Grievances do prepare and bring in the same.

A motion was made, that the House do come to the following resolution :

Whereas, the unappropriated land on the Bay sea shores and Point Comfort, hath hitherto been considered as common, and numbers of poor people availing themselves thereof, have drawn considerable support for their families; and it would be greatly injurious both to the poor and to the community in general, if such lands were monopolized and possessed by a few.

*Resolved*, That the said unappropriated lands shall remain as common, and not be appropriated to any person or number of persons whatever; and the Register of the Land Office is hereby directed to govern himself accordingly.

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Page do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution :

*Resolved*, That the Governor, with the advice of Council, be desired to obtain 1,500 stand of arms in the lower part of the country, for the defence of that part thereof which lies north of James river, at such convenient places as he shall judge proper.

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

Mr. Richard Henry Lee reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration the petition of Mr. John Cropper, jun. to them referred, complaining of an undue election and return of Mr. Thomas Bayley, to serve as a delegate in this present General Assembly for the county of Accomac, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth :

*Resolved*, that it is the opinion of this committee, That the persons who voted at the said election, whose freeholds or right of voting are questioned either by the petitioner or sitting member, be examined before James Arbuckle, Charles Bagwell and John Teagle, gentlemen, or any two of them, whether they be freeholders or not, or had a right to vote at the said election, to which the sitting member objected, as having a right by the rule of proceeding to make his election, either to take depositions in the country, or that the witnesses should be examined before the committee, and that the sitting member preferred the latter.

*Ordered*, That the case of Mr. William Bibb, a member of this House, respecting his charge against the Commonwealth for attendance on the General Assembly, which was referred at the last session, and postponed for further consideration until the present session, be referred to the committee of Privileges and Elections; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill "for the more general diffusion of knowledge;" and that Messrs. Richard Henry Lee, Starke, Innes, Page, Taylor of Caroline, Taylor of Norfolk, Lawson, Tazewell, Stephens, Randolph and Henry, do prepare and bring in the same.

The House proceeded, according to the order of the day, by ballot, to the choice of nine members as a committee of Ways and Means; and the members having prepared tickets for the persons to be appointed, and put the same into the ballot boxes, Messrs. Carrington, William Watkins, Pride, Southall, Reynolds, Pickett, Digges, Chapman, and Landon Carter, were nominated a committee to examine the ballot boxes, and report to the House, on whom the majority of votes should fall.

The committee withdrew; and after some time returned into the House, and reported that they had, according to order, examined the ballot boxes, and found a majority of votes to fall on General Nelson, Messrs. Richard Henry Lee, Henry, Page, Fitzhugh, Tazewell, Innes, Braxton and Fleming.

A petition of David Gallaway and Burditt Ashton, was presented to the House, and read; setting forth, that they intermarried with Margaret and Sarah, daughters of James Blair, deceased, who died intestate, leaving certain lands which descended to his two daughters, and two other younger daughters in coparcenary; that it would be greatly to the interest of the parties concerned, that the parts of the infant coparcenary, should be sold, until they come of age, or are married, and the other part divided between the said petitioners; and praying that trustees may be appointed for that purpose.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

A petition of the justices of the county court of Rockbridge, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the time limited by law, for appointing commissioners to execute the act, "laying a tax, payable in certain enumerated commodities," had expired before the law came to hand; and praying that they may be empowered to appoint commissioners to execute the said law.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Jeremiah Thornton, was presented to the House, and read; setting forth, that the allowance heretofore made him for wounds and injuries, received while a soldier in the service of the State, hath from the depreciation of the paper currency, become very inadequate to his support; and praying further relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, May 20, 1780.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, two petitions from divers merchants and traders in this State, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That such parts of the petitions of the said merchants, as pray that so much of an act of Assembly, entitled "an act for raising a supply of money for the service of the United States, so far as the same hath retrospect in imposing a tax of two and an half per centum on the amount of all goods, wares, and merchandizes, sold by retail," may be repealed, is reasonable.

*Resolved*, that it is the opinion of this committee, That such other parts of the petitions of the said merchants, as pray that so much of the said act, "as imposes a tax of two and an half per centum ad valorem, upon the amount of the sales of all goods, wares, and merchandizes," may be amended, and a more just and equal tax imposed, is reasonable.

*Ordered*, That the said resolutions be referred to the committee of Ways and Means; and that they receive a clause or clauses agreeable thereto.

The Speaker laid before the House a letter from Mr. Thomas Smith, who was appointed by the Governor and Council to state and settle the account of the Commonwealth against the United States, containing information of the progress made in that business, which was read, and ordered to lie on the table.

*Ordered*, That a committee be appointed to inquire into the present state of the account of the Commonwealth against the United States, and the most speedy and effectual method of finally settling the same; and that they report thereupon, to the House.

And a committee was appointed, of Messrs. General Nelson, Richard Henry Lee, and Henry.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of James Williams, praying that a further allowance may be made him, in addition to the annual pension allowed him by the Board of War, in consideration of the loss of his eye-sight, while a soldier in the service of the Commonwealth, be rejected; his case appearing to be provided for, by an act passed at the last session of General Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of William Criddle, praying that a farther allowance may be made him, in addition to the annual pension allowed him by the General Assembly, in consideration of the loss of his right arm, while a soldier in the service of the Commonwealth, at the destruction of Norfolk, is reasonable; and that the petitioner ought to be allowed the sum of 26*l*. for his present relief.

*Resolved*, that it is the opinion of this committee, That the petition of Larkin Chew, a lieutenant, who in consideration of a wound, which he received in the defence of his country, hath been formerly allowed an annuity of 40*l*. for his support; and praying that he may be permitted to draw from the public store, such necessary articles as he may want, to the amount of his said annuity, at the same rates officers and soldiers now in actual service are allowed, be rejected.

*Resolved*, that it is the opinion of this committee, That so much of the petition of Hugh Wallis, as prays that he may be permitted to draw from the public store, such necessary articles as he may want, to the amount of the allowance made him, at the last Assembly, in consideration of the loss of one of his legs and part of his thigh, while a soldier in the continental service, be rejected.

*Resolved*, that it is the opinion of this committee, That such other part of the said petition, as prays that a further allowance in money may be made him, is reasonable; and that the petitioner ought to be allowed the sum of 250*l*. for his present relief.

*Resolved*, that it is the opinion of this committee, That the petition of Archibald Compton, praying a further allowance in addition to that made him at a former Assembly, in consideration of a wound which he received at the battle of Germantown, while a soldier in the continental service, is reasonable; and that the petitioner ought to be allowed the sum of 100*l*. for his present relief.

*Resolved*, that it is the opinion of this committee, That the petition of Isaac Ramsbottom, praying to be supported



by the public, in consideration of a wound which he received in one of his legs, while a soldier in the continental service, be rejected.

The 1st resolution was read a second time, and on the question put thereupon, disagreed to by the House.

The 2d, 3d, 4th and 7th resolutions were read a second time, and agreed to by the House.

The 5th and 6th resolutions were read a second time, amended, and agreed to by the House.

*Ordered*, That Mr. Richard Lee do carry the 2d, 5th and 6th resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee :

MR. SPEAKER,—The Senate have agreed to the resolution for sending such arms as can be spared to North Carolina. And then he withdrew.

A petition of Charles Cooper, was presented to the House, and read ; setting forth, that previous to the destruction of Norfolk, he contracted with one James Guy to build a house, for which, when completed, he was to receive payment ; that the said house being almost completed was burnt with divers other houses in the said town by order of Convention, and as the said James Guy joined the enemy under Lord Dunmore, the loss of the work and materials falls on the petitioner ; and praying relief.

Also, a petition of sundry inhabitants of the town of Martinsburg, in the county of Berkeley, whose names are thereunto subscribed ; setting forth, that from the great scarcity of materials for building, they have been unable to comply with the condition of the law, for improving their lots in the said town within three years ; and praying that an act may pass to give them further time to build thereon.

Also, an order of the court of Rockingham county ; praying that an act may pass to oblige the late sheriff of Augusta, to pay to the commissioners of the tax for the said county of Rockingham, the quit-rents received from that part of Augusta now included in Rockingham, which were ordered to be repaid to the several freeholders within the State by an act of Assembly, passed in October, 1777, and that the same may be placed to the credit of their tax for the ensuing year.

*Ordered*, That the said petitions and order be referred to the committee of Propositions and Grievances ; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of George Daniel, guardian of William Murray, an orphan, and of Maurice Smith and Philip Montague, executors of William Roan, deceased, was presented to the House, and read ; setting forth, that some time in the year 1777, a negro man slave named Juba, the property of the said orphan, and a negro man slave named Gilbert, belonging to the estate of the said William Roan, were apprehended in an attempt to join Lord Dunmore, and by order of the committee of Safety sent to the lead mines, where they have ever since continued in the public service ; and praying that the said slaves may be returned and a reasonable hire paid for their services.

*Ordered*, That the said petition be referred to the committee of Trade ; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the justices of Rockbridge county, whose names are thereunto subscribed, was presented to the House, and read ; setting forth, that for want of a vestry, no provision can be made for the poor ; and praying that they may be empowered to make such provision.

*Ordered*, That the said petition be referred to the committee for Religion ; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Mary Manning, was presented to the House, and read ; setting forth, that her late father, Jacob Hite, deceased, did in his lifetime convey to her for her maintenance, all his estate and interest in several tracts of land which he had before demised and to farm let, for the term of twenty-one years to several tenants, upon the condition of paying certain annual rents for the same ; that the term of seven years is yet to come and unexpired in the said leases, and from the great depreciation of the paper currency the rents are become very inadequate to her maintenance ; and praying relief.

*Ordered*, That the said petition do lie on the table.

*Ordered*, That Mr. Stevens be added to the committee appointed to prepare and bring in a plan of defence for the eastern frontier.

*Ordered*, That Mr. Reynolds have leave to be absent from the service of this House, until Tuesday sc'might.

A motion was made, that the House do come to the following resolution :

*Resolved*, That the Governor, with advice of Council, be authorised to empower such person or persons as he may think proper, to impress a sufficient number of wagons and teams, for the purpose of transporting the baggage and provisions of the Maryland troops to such post in South Carolina as he may judge best ; and that for expediting the march of the said troops at this critical juncture, the Governor be in like manner empowered to direct a sufficient number of horses, saddles and bridles, and other necessities, to be impressed, for the purpose of moving the said troops, or part thereof with greater celerity ; provided that every thing impressed by virtue of this resolution, shall be previously appraised by two freeholders, either in the presence or absence of the proprietor.

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Taylor of Caroline, do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Harrison :

MR. SPEAKER,—The Senate have agreed to the resolution to empower the Governor, with advice of Council,



to impress wagons, teams, horses, &c. for expediting the march of the Maryland troops to South Carolina, with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, were disagreed to by the House.

*Ordered*, That Mr. Taylor of Caroline, do acquaint the Senate therewith.

The order of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Monday next.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate do recede from their amendments, disagreed to by this House, to the resolution to empower the Governor, with advice of Council, to impress wagons, teams and horses, for expediting the march of the Maryland troops to South Carolina. And then he withdrew.

And then the House adjourned till Monday morning, 10 o'clock.

## MONDAY, May 22, 1780.

The Speaker laid before the House, a letter from Cyrus Griffin, Esq. one of the delegates of this Commonwealth in Congress, respecting his appointment to be a judge of the Supreme Court of Appeals; which was read, and ordered to lie on the table.

Mr. Lyne presented, according to order, a bill "for the more equal distribution of intestates estates;" and the same was received and read the first time, and ordered to be read a second time.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of three members of the Privy Council or Council of State, in the room of the honorable John Page, Thomas Blackburne and David Meade, Esquires, who have resigned.

Also, to the choice of two auditors of public accounts, in the room of Thomas Everard, and James Cocke, Esqrs., who have resigned.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A petition of Alexander Wily, was presented to the House, and read; setting forth, that in consequence of his appointment by the Governor and Council, and afterwards confirmed by this House, he acted as keeper of the Capitol in Williamsburg, until the first instant; that upon the removal of the several executive boards from thence, he did by order of the Governor and Council, take charge of, and attend the records and papers to this place; and praying to be made compensation for the said services.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

Another member, having taken the oaths required by law, took his seat in the House.

*Ordered*, That the number of members constituting the committee of Ways and Means, be increased by the addition of one other member.

*Resolved*, That this House will, immediately proceed to the choice of the said member, by ballot.

The House accordingly proceeded by ballot, to the choice of the said member; and the members having prepared tickets with the name of the person to be appointed, Messrs. Henry, Richard Henry Lee, and Randolph, were nominated a committee to examine the ballot boxes, and report to the House on whom the majority of votes should fall.

The committee then withdrew; and after some time returned into the House, and reported, that they had, according to order, examined the ballot boxes, and found a majority of votes in favor of George Mason, Esq.

*Ordered*, That Mr. Mason be added to the committee appointed to prepare and bring in a bill "for the more general diffusion of knowledge."

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, May 23, 1780.

Another member, having taken the oaths required by law, took his seat in the House.

The order of the day, for the House to proceed by joint ballot with the Senate, to the choice of three members of the Privy Council or Council of State; and of two auditors of public accounts, in the room of the several gentlemen who have resigned, being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

The Speaker laid before the House, a letter from the Speakers of the two Houses of Assembly of North Carolina; representing the distressed state of South Carolina, now invaded by the enemy; and praying the co-operation of this State, in sending them speedy and effectual aid; also, a letter from the Governor, enclosing one from the deputy Quarter Master General, retracting his opinion on the subject of impressing horses, saddles, &c. for expediting the march of the Maryland troops to South Carolina; which were read, and ordered to lie on the table.

Mr. Richard Henry Lee, from the committee of Propositions and Grievances, presented, according to order, a bill, "to empower the justices of Spotsylvania county to hold courts in the house of John Hollady;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Richard Henry Lee, from the committee of Propositions and Grievances, presented, according to order, a bill, "for establishing a town in the county of Rockingham;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "for the more equal distribution of intestates estates;" was read the second time, and ordered to be committed to a committee of the whole House, on Thursday next.

A message from the Senate by Mr. Cabell:

Mr. SPEAKER,—The Senate have agreed to the resolution, appointing Messrs. Dixon and Nicholson printers to the Commonwealth. And then he withdrew.

A message from the Senate by Mr. Coles:

Mr. SPEAKER,—The Senate have agreed to the resolution, to take the bell belonging to the Dragon, ship of war, for the use of the General Assembly. And then he withdrew.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the county of Greenbrier, praying that the allowance to spies on the western frontiers, may be increased, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of the justices of the county court of Rockbridge, praying, that they may be authorised and empowered to appoint commissioners directed by an act, "for laying a tax payable in certain enumerated commodities;" as the time limited for that purpose by the said act, had elapsed before they received the law, is reasonable.

*Ordered,* That the committee appointed to prepare and bring in a bill, "for the better regulation and discipline of the militia," do receive a clause or clauses pursuant to the first resolution.

*Ordered,* That the second resolution be referred to the committee of Ways and Means.

The House proceeded to nominate persons proper to be ballotted for as members of the Privy Council or Council of State, and Auditors of Public Accounts, in the room of the several gentlemen who have resigned.

*Ordered,* That General Nelson do carry lists of the persons so nominated to the Senate.

A message from the Senate by Mr. Jones:

Mr. SPEAKER,—The Senate have agreed to the resolution to proceed this day by joint ballot, to the choice of three Privy Counsellors and two Auditors of public accounts, in the room of the several gentlemen who have resigned. And then he withdrew.

*Ordered,* That a committee be appointed to examine the late Treasurer's accounts.

And a committee was appointed, of Messrs. Carrington, Starke, Edmondson, Talbot, Pride, Strother, Taylor of Norfolk, Pickett, Thomas Johnson, Hutchings, Mosby, Nicholas Lewis, Wilkinson, Nicholas, Cabell, Southall, and William Mayo, jun.

*Ordered,* That a message be sent to the Senate, to acquaint them that this House hath appointed a committee to examine the late treasurer's accounts; and that if they please to appoint a committee of their House for that purpose, both committees may proceed to do the business together.

*Ordered,* That Mr. Carrington do carry the said message.

*Ordered,* That leave be given to bring in a bill, "to secure to the public certain lands, heretofore reserved as common;" and that Messrs. Tazewell, Taylor of Caroline, and Wilson Miles Cary, do prepare and bring in the same.

A message from the Senate, by Mr. Jones.

Mr. SPEAKER,—The Senate have agreed to postpone the ballot for three Privy Counsellors and two Auditors, until to-morrow. And then he withdrew.

Mr. Tazewell presented, according to order, a bill "to secure to the public certain lands heretofore reserved as common;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered,* That the petitions from sundry inhabitants of the county of Amherst, praying further time to pay in their grain, agreeable to the act, "laying a tax in certain enumerated commodities;" which was ordered to lie on the table, be referred to the committee of Ways and Means.

*Ordered,* That leave be given to bring in a bill, "repealing part of the act, entitled 'an act, for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties;" and that Messrs. Mason, Henry and Tazewell, do prepare and bring in the same.

A bill, "to secure to the public certain lands heretofore reserved as common," was read the second time and ordered to be engrossed and read the third time.

The Speaker laid before the House a letter from the Colonels Gibson and Brent, commanding the first and second Virginia State regiments in continental service, respecting the injury the officers of those two regiments have suffered in their rank, and the partial distribution of privileges to which they conceive themselves entitled, which was read, and ordered to be referred to Messrs. General Nelson, Starke, General Lewis, Innes, Lawson, Lyne, and Taylor of Caroline.

Mr. Mason presented, according to order, a bill, "repealing part of the act, entitled 'an act for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties,'" and the same was received and read the first time, and ordered to be read a second time.

Mr. Randolph presented, according to order, a bill "to regulate the election of members of General Assembly;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "for repealing part of the act, entitled 'an act, for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits when such subjects are parties,'" was read the second time, and ordered to be engrossed and read the third time.

A petition of John Fox was presented to the House, and read; setting forth, that it would be of public convenience if a ferry were established from his land in the county of Gloucester to the land of John Tabb, on the opposite shore; and praying that such ferry be established.

Also, a petition of sundry inhabitants of the county of Bedford, whose names are thereunto subscribed; setting forth, that from the great extent of their county, they sustain great inconvenience and injury in attending their courts and other public meetings; and praying that a part of the said county may be added to a part of Henry, and formed into one distinct county, agreeable to certain boundaries therein expressed.

Also, a petition of sundry inhabitants of the county of Henry, whose names are thereunto subscribed, to the same effect.

Also, a petition of sundry other inhabitants of the county of Bedford, whose names are thereunto subscribed, in opposition thereto.

Also, a petition of Thomas Milner; setting forth, that in the year 1772, he leased to a certain Cumings, Warwick and Company, for the term of ten years, the lands and tenements called and known by the name of Milner's Warehouses, in the county of Nansemond, reserving an annual rent for the same; that the said Cumings, Warwick and Company, being in arrears of rent to the petitioner have joined the enemy, and their unexpired term in the said lease becomes vested in the Commonwealth; and praying that the said lease may be vacated, and the petitioner be authorised to receive the rents and profits thereof.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of William Dickerson was presented to the House, and read; setting forth, that the allowance heretofore made him for wounds and injuries received while a soldier in the service of the Commonwealth, hath from the depreciation of the paper currency become very inadequate to his support; and praying further relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

An engrossed bill, "repealing part of the act, entitled 'an act for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, repealing part of the act, entitled 'an act for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties.'"

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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WEDNESDAY, May 24, 1780.

*Ordered*, That Mr. Tipton have leave to be absent from the service of this House for the remainder of the session.

A bill, "to empower the justices of Spottsylvania county to hold courts in the house of John Hollady," was read the second time, and ordered to be engrossed and read the third time.

A bill, "for establishing a town in the county of Rockingham," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.



An engrossed bill "to secure to the public, certain lands heretofore reserved as common," was read the third time;

*Resolved*, That the bill do pass, and that the title be, "an act to secure to the public, certain lands heretofore held as common."

*Ordered*, That Mr. Tazewell, do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "to embody militia for the relief of South Carolina," with several amendments, to which they desire the concurrence of this House; they have also agreed to the bill, "repealing part of the act, entitled 'an act for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties.'" And then he withdrew.

Several gentlemen were withdrawn from the nomination of persons to be ballotted for, as Privy Counsellors, at their request.

*Ordered*, That Mr. Richard Lee, do acquaint the Senate therewith.

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have withdrawn the name of one gentleman from the nomination of persons to be ballotted for, as Privy Counsellors, at his request. And then he withdrew.

The House proceeded to consider the amendments of the Senate, to the bill "to embody militia for the relief of South Carolina;" and the same being read, some were agreed to and others disagreed to.

*Ordered*, That Mr. Richard Henry Lee do acquaint the Senate therewith.

A motion was made, that the House do agree to the following address:

The Address of the General Assembly of the Commonwealth of Virginia, to the delegates of the United American States, in Congress Assembled.

The General Assembly of Virginia, having received representations from the legislature of North Carolina, and from Governor Rutledge, of the present critical and alarming situation of the State of South Carolina: Charleston besieged by a numerous army, blocked up by sea and land, all communication between the town and country cut off; the British troops actually in possession of the most valuable part of the country upon the sea and navigable rivers, and the Indian enemy (whose tribes are numerous and powerful in that quarter) making incursions on their western frontiers, and little hope of the garrison of Charleston being long able to defend it; upon the capture or surrender of which, not only military stores to a great amount, but a considerable number of veteran troops, and many valuable officers will be lost; and no adequate means remain of defending that and the adjacent State of North Carolina, or stopping the progress of the enemy, whose views will extend with their success, and may produce the most fatal consequences to the American cause. Under these circumstances, the General Assembly of Virginia are induced to think that the face of the American war is in a great measure changed, and that the principal object of the enemy this campaign is the conquest of the southern States. The General Assembly of Virginia are making every exertion in their power, to raise and send forward a body of militia; but conscious that such aid alone, will not only be ineffectual, but too slow in its operation; and considering the present general attack by the Indians on their western, and the prospect of an immediate invasion on their eastern frontier, in repelling which, a great part of their militia will necessarily be employed; they think it their duty to call the attention of Congress to this important object, and earnestly to conjure them without delay, to adopt the most effectual means of defending and maintaining the southern States, which the General Assembly of Virginia apprehend cannot be effected, but by a farther speedy and powerful reinforcement of continental troops, and a supply of arms for the North Carolina militia, to whom the government of Virginia hath already furnished all it is able to spare.

And the said address being read a third time, was, on the question put thereupon, agreed to by the House, *nemine contra dicente*.

*Ordered*, That Mr. Mason do carry the said address to the Senate, and desire their concurrence.

A petition of sundry inhabitants of the county of Stafford, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the justices of the said county have failed to comply with the act of Assembly, directing them to remove the courthouse thereof to some place at or near the centre of their county; and praying that disinterested gentlemen of the adjacent counties may be appointed for that purpose.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and General Nelson reported, that the committee had, according to order, had the state of the Commonwealth under their consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House, as followeth:

*Resolved*, That a camp or camps for 5,000 men ought to be formed in such part of the State as may be most convenient for succouring our southern friends, and if occasion shall require it, for defending this State on its eastern frontier; that provisions, arms, military stores and all other necessities for that number of men, ought to be procured as near the said camp or camps as may be without delay, so far as the present situation of affairs will permit.

*Resolved*, That that his excellency the Governor, be desired with the advice of the Council, to carry the foregoing resolution into full effect.

*Ordered*, That General Nelson do carry the said resolutions to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Harrison :

MR. SPEAKER,—The Senate have receded from their amendments disagreed to by this House, to the bill “to embody militia for the relief of South Carolina.” And then he withdrew.

*Ordered*, That the public printer be directed to cause 50 copies of the act “to embody militia for the relief of South Carolina,” to be printed forthwith.

The House then, according to the order of the day, proceeded by joint ballot with the Senate, to the choice of three members of the Privy Council or Council of State, in the room of the several gentlemen who have resigned; and the members having prepared tickets with the names of the persons to be appointed, and put the same into the ballot boxes, Messrs. General Nelson, Richard Henry Lee, Page, Wells, McDowell, Wilson Miles Cary, Lyne and Lawson, were nominated a committee, to meet a committee from the Senate, and jointly with them to examine the ballot boxes, and report to the House on whom the majority of votes should fall.

*Ordered*, That General Nelson do acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had, according to order, met a committee from the Senate in the conference chamber, and had jointly with them examined the ballot boxes, and found a majority of votes in favor of General Andrew Lewis, George Webb and Jacquelin Ambler, Esquires.

The House proceeded in the same manner, to the choice of two auditors of public accounts, in the room of the gentlemen who have resigned; and it appearing from the report of Messrs. Richard Henry Lee, Starke, Lyne, and Richard Lee, the committee appointed to examine the ballot boxes, that the majority of votes was in favor of Leighton Wood and Harrison Randolph, Esquires;

*Resolved*, That General Andrew Lewis, George Webb and Jacquelin Ambler, Esquires, be appointed members of the Privy Council or Council of State, in the room of the honorable John Page, Thomas Blackburne and David Meade, Esquires, who have resigned; also, that Leighton Wood and Harrison Randolph, Esquires, be appointed auditors of public accounts, in the room of Thomas Everard and James Cocke, Esquires, who have resigned; they having been so elected by joint ballot of both Houses of Assembly.

*Ordered*, That Gen. Nelson do carry the resolution to the Senate, and desire their concurrence. 224.1.22.

A message from the Senate by Mr. Lee :

MR. SPEAKER,—The Senate have agreed *nemine contra dicente* to the address, entitled “the address of the General Assembly of Virginia to the Delegates of the United American States, in Congress assembled.” And then he withdrew.

On a motion made,

*Ordered*, That all petitions which have been presented to, and are now depending before, the present session of General Assembly, and which are of a local or private nature, be deferred to the consideration of the next session of Assembly.

A motion was made, that the House do come to the following resolution:

*Resolved*, That three thousand dollars be advanced by the treasurer of this Commonwealth, to each officer of artillery in the Virginia line, now on their march to the relief of South Carolina;

And the said resolution being read a second time, was ordered to lie on the table.

Gen. Nelson reported, from the committee to whom the letter from Colonels Gibson and Brent was referred, that the committee had, according to order, had the said letter under their consideration, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth :

*Resolved*, That the officers of the 1st and 2d State regiment, having been employed for several years in the continental army; received by Congress as a part of the quota of this State; and paid by the continent as such, ought to have enjoyed equal rank, privileges and emoluments from the time of their being ordered to join the American army with the continental troops of this State.

*Resolved*, That as Congress by a resolution, dated the 31st day of January, 1779, have declared their willingness to take the said regiments into the continental line, and a board of general officers, by their opinion of the 9th of July, 1777, have declared it just that these regiments should have such rank. It is expedient that the said resolution be carried into execution, and that it be farther recommended to Congress, to give rank to the officers of these two State regiments, having relation to the date of their State commissions, provided that such officers shall not be entitled to promotion, except in the line of the said two regiments.

*Resolved*, That all disputes relative to rank or command among the officers of the said two regiments, shall be determined by a board of officers, in like manner, and under the same rules, as govern in the continental army.

*Ordered*, That Gen. Nelson do carry the resolution to the Senate, and desire their concurrence.

And then the House adjourned till to-morrow morning, 10 o'clock.

THURSDAY, May 25, 1780.

Several other members, having taken the oaths required by law, took their seats in the House.

An engrossed bill, "to empower the justices of Spottsylvania county, to hold courts in the House of John Hollady," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, 'to empower the justices of Spottsylvania county, to hold courts in the house of John Hollady.'"

*Ordered*, That Mr. Fitzhugh do carry the bill to the Senate and desire their concurrence.

A message from the Senate by Mr. Coles :

MR. SPEAKER,—The Senate have agreed to the resolution for appointing three Privy Counsellors and two auditors. And then he withdrew.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth :

*Resolved*, that it is the opinion of this committee, That the petition of Capt. Willis Willson; setting forth, that he impressed a horse, the property of Mr. John Phipp, of Princess Anne county, for the purpose of executing certain orders which he received from Col. Thomas Mathews, during the late invasion at Norfolk; that the horse tired on the road, and is lost to the owner; and praying compensation may be made the said John Phipp for his said horse, is reasonable; and that he ought to be allowed the sum of one hundred and fifty pounds for the same.

*Resolved*, that it is the opinion of this committee, That the petition of Jane Stewart, praying that a negro man slave, named Wig (the property of the petitioner, and by trade a cooper) who was sent up to the lead mines, and hath been there employed for four years, may be returned and compensation made her for his services, is reasonable; and that the petitioner ought to be allowed the sum of eight hundred pounds for the hire of the said slave, and that he be delivered to her in the town of Portsmouth at the public expense.

*Resolved*, that it is the opinion of this committee, That the petition of Dorothy Ege, praying to be allowed for a horse which was stolen from her by Drury Hodges, and in apprehending the said Hodges, the said horse was killed, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of William Archer and Stephen Goodwyn, inspectors at Bolling Brooke warehouse, praying to be allowed for tobacco stolen thereout, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of George Daniel, guardian of William Murray, an orphan, and of Maurice Smith and Philip Montague, executors of William Roan deceased, praying that a negro man slave named Juba, the property of the said orphan, and a negro man slave named Gilbert, belonging to the estate of the said William Roan, who were ordered by the committee of Safety to be carried to the lead mines, there to be employed in the service of this State, may be returned, and compensation made them for their services, is reasonable; and that the said slaves ought to be delivered to their respective owners as soon as may be, at the public expense, and that agreeable to a resolution of the Assembly, passed the 16th day of June, 1776, the petitioners ought each to be allowed (for the hire of the said slaves) at the rate of 12*l.* per annum, from the 16th day of July, 1777, to the time of such delivery.

*Resolved*, that it is the opinion of this committee, That the petition of William Dickerson, praying a further allowance in addition to that made him at a former Assembly, in consideration of the loss of his right arm at the battle of Brandywine, while a soldier in the continental service, is reasonable; and that the petitioner ought to be allowed the sum of one hundred and fifty pounds for his present relief.

The 1st, 2d, 3d, 4th and 6th resolutions were read a second time, and agreed to by the House.

The 5th resolution was read a second time and ordered to be recommitted to the same committee.

*Ordered*, That Mr. Lee do carry the 1st, 2d and 6th resolutions to the Senate, and desire their concurrence.

Mr. Cary presented, from the committee of Propositions and Grievances, according to order, a bill "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the Land Office;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "to regulate the election of members of General Assembly," was read the second time, and ordered to be committed to a committee of the whole House, on Monday next.

*Ordered*, That Mr. Mason be added to the committee appointed to prepare and bring in a bill, "to amend the act, 'for reviving several public warehouses for the inspection of tobacco.'"

A memorial of sundry inhabitants of the county of Prince William, whose names are thereunto subscribed, was presented to the House and read; setting forth, that they are informed Meriwether Smith, Esq., one of the delegates representing this Commonwealth in Congress, after the passing of the law restricting the delegates in Congress from engaging in any trade, either foreign or domestic, being at that time in trade, had dared to act in contradiction to the same, by sitting and voting in Congress, after refusing to take the oath of qualification, without which his appointment was null and void; that they conceive this to be an assumption of power and violation of law, tending to subvert all order and good government, and to establish a most dangerous precedent; and submitting it to the consideration of the House, whether an inquiry should not be had into the conduct of the said Meriwether Smith, and whe-



ther, if the facts they have stated appear true, he should not receive a public reprimand, and be deemed unworthy in future to hold any confidential employment.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the Governor be desired and empowered with the advice of Council, to appoint proper persons to purchase such horses and accoutrements as may be necessary to mount and equip the light dragoons raised within this State, for the continental army.

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Page do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That this House will, on Thursday next, proceed by joint ballot with the Senate, to the choice of a brigadier general, and the several field officers, to command the troops called into service, by the act, "to embody militia for the relief of South Carolina."

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

*Ordered*, That Mr. John Watkins have leave to be absent from the service of this House, until Thursday next.

A petition of Mason Pitcher, and Edward Dickinson, inspectors at Falmouth, was presented to the House, and read; setting forth, that they made sale of a large quantity of tobacco, which had remained in the warehouse two years after inspection, and paid the money into the public treasury, agreeable to law, for which they have received no compensation; also, that the allowance of five dollars per hoghead on tobacco, for inspection, is an insufficient salary; and praying that their salaries may be increased, and compensation made them, for their risque and trouble in the sales of the said tobacco.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill, "to amend the act, for reviving several public warehouses, for the inspection of tobacco."

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, on the bill "for the distribution of intestates estates," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, May 26, 1780.

Another member, having taken the oaths required by law, took his seat in the House.

A bill, "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the Land Office," was read the second time, and ordered to be committed to a committee of the whole House, on Tuesday next.

A bill, "for regulating the fees of the register of the Land Office," was read a second time, and ordered to be committed to the committee of Propositions and Grievances.

*Ordered*, That a committee be appointed to examine the enrolled bills.

And a committee was appointed, of Messrs. Munford, Tyler, William Watkins, Starke, James Taylor, Hardy, and Francis Peyton.

*Ordered*, That General Nelson have leave to be absent from the service of this House, until Saturday se'nnight; and Mr. Lawson until Wednesday next.

A petition of sundry inhabitants of the county of Northampton, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the present mode of taxing lands by assessment, is unequal and unjust; and praying that some more equal mode may be devised.

Also, a petition of sundry inhabitants of the county of Charlotte, whose names are thereunto subscribed; setting forth, that the burthen of personal service to the support of the war, has been unequally assessed on the poor, who have been also obliged to pay their full proportion of taxes; and praying that a more just and equal mode of taxation by the assessment of property, may be adopted.

*Ordered*, That the said petitions be referred to the committee of Ways and Means, that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of sundry inhabitants of the county of Prince William, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that during the late invasion, Messrs John Hancock, Charles Williamson, and John Smith, of the said county, were made prisoners by the enemy and carried to New York; that they are informed and believe Jacob Elligood who holds a Colonel's commission in the enemy's service, and is now a prisoner in this State, might produce an exchange for them, and other citizens of this State, now in captivity; and praying that such exchange may be negotiated.

Also, a petition of sundry inhabitants of the county of Northumberland, whose names are thereunto subscribed; setting forth, that under the faith of a law establishing warehouses at North and South Wicomico, in the said county, they carried their tobacco to the said warehouses, and sustained considerable loss by the enemy's burning the same, in the month of June last; and praying to be made compensation for their loss.

Also, a petition of John Poag; setting forth, that being sheriff of the county of Augusta, he entrusted the settlement of the whole collection of his county to the deputy sheriff, Mr. Graham, who, being on his way to Williamsburg in order to pay the same into the treasury was robbed, and lost the whole of the money; that the said Graham has no property and his innocent securities will be obliged to pay the same; and praying, that the public proceedings against them may be mitigated, and judgment suspended, until time be given to make good the full sum to the public.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolutions for empowering the Governor and Council, to provide arms and necessaries for a camp or camps of five thousand men on the southern frontiers. And then he withdrew.

The Speaker laid before the House a letter from the Governor, enclosing one from a council of officers, held at Botetourt courthouse, and their determination on the subject of an offensive and defensive war with the Indians; which were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, That the determination of the council of officers, held at the courthouse in the county of Botetourt, the 18th day of this month, appears wise and salutary, and that the General Assembly have full confidence in the wisdom of the executive in adhering to or varying from the same as circumstances may require.

*Ordered*, That Mr. Page do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the State of the Commonwealth.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution to empower the Governor and Council to purchase horses, &c. to mount certain dragoons; they have also agreed to the resolution for paying a sum of money to William Mitchell. And then he withdrew.

A message from the Senate by Mr. Stevens:

MR. SPEAKER,—The Senate have agreed to the resolutions respecting the rank and privileges of the officers in Colonels Gibson and Brent's regiments, with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment; and the same being read, was agreed to.

*Ordered*, That General Nelson do acquaint the Senate therewith.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the more equal distribution of intestates estates," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, May 27, 1780.

Another member, having taken the oaths required by law, took his seat in the House.

Mr. Southall presented, according to order, a bill "for locating the public squares, and to enlarge the town of Richmond," and the same was received and read the first time, and ordered to be read a second time.

Mr. Cary reported, from the committee of Propositions and Grievances; that the committee had, according to order, had under their consideration, the petition of John Poag, sheriff of the county of Augusta, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, amended, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the said John Poag, praying to be released from the penalty of twenty per centum, upon the amount of taxes collected in the said county the last year, which he is subject to incur, for not having paid the said taxes into the public treasury at the time prescribed by law, be rejected.

Mr. Munford reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined several enrolled bills to them referred, and found them to be truly enrolled.

*Ordered*, That Mr. Munford do carry the bills to the Senate, for their inspection.

A message from the Senate by Mr. Christian:

MR. SPEAKER,—The Senate have agreed to the resolution approving the determination of a council of field officers as to an offensive or defensive war with the Indians. And then he withdrew.

A message from the Senate by Mr. Stephens:

MR. SPEAKER,—The Senate have agreed to the bill “to empower the justices of Spottsylvania county to hold courts in the house of John Holladay. And then he withdrew.

*Ordered*, That leave be given to bring in a bill “to empower the high sheriffs to proceed in a summary way against their deputies;” and that Messrs. Zachariah Johnson, Thomas Johnson, and Henry, do prepare and bring in the same.

A petition of Col. George Rogers Clarke, was presented to the House, and read; setting forth, that upon his late expedition to the Obache, during his negotiations and treaties with the Indians in those parts, they expressed their desire that he should reside among them, and as a proof of their attachment, made him a present of, and conveyed to him by deed, a tract of land, on the north west side of the Ohio river, of seven miles and a half square, and containing about thirty-six thousand acres; that his necessary absence on that public service, deprived him of an equal opportunity with other of his fellow-citizens, of acquiring lands in Kentucky, and has also been the means of exhausting his private patrimony; and praying that the said deed may be confirmed to him.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry merchants of the town of Alexandria, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that so much of a late act of Assembly as lays a tax of two and a half per cent. upon goods, &c. imported and retailed, having retrospect, is unequal and unjust; and praying that the said law may be amended.

*Ordered*, That the said petition be referred to the committee of Ways and Means; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the printed circular letter of Congress, to their constituents, and also the fourth and fifth essays, on free trade and finance, (published by a citizen of Philadelphia,) be referred to the committee of the whole House on the state of the Commonwealth.

*Ordered*, That leave be given to bring in a bill “to enable the sheriff of the county in which the General Court may sit, to summon a grand jury;” and that Messrs. Mason and Starke do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and made a further progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House on the state of the Commonwealth.

Mr. Mason presented, according to order, a bill “to enable the sheriff of the county in which the General Court may sit, to summon a grand jury;” and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That Mr. Wood be added to the committee of Propositions and Grievances.

A bill, “to enable the sheriff of the county in which the General Court may sit, to summon a grand jury,” was read a second time, and ordered to be committed to Messrs. Mason, Richard Henry Lee, Taylor of Caroline, Tazewell, Tyler, Henry, Cary and Talbot.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill “for the more equal distribution of intestates estates,” being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, May 29, 1780.

Another member, having taken the oaths required by law, took his seat in the House.

A bill, “for locating the public squares, and to enlarge the town of Richmond,” was read the second time, and ordered to be committed to a committee of the whole House, on Monday next.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the petition of Alexander Wiley to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, from a certificate of Mr. Archibald Blair, clerk of the Council, that the said Alexander Wiley, agreeable to the directions of the Governor and Council, packed up and attended the removal of the records and papers, belonging to the different executive boards at Williamsburg, to the town of Richmond, where he faithfully delivered the same.

It also appears to your committee, that the said Alexander Wiley continued to act in the capacity of keeper of the capitol in Williamsburg, from the last session of Assembly to the first day of May, in this present year.

Whereupon, your committee came to the following resolution:



*Resolved*, that it is the opinion of this committee, That the petition of the said Alexander Wiley, praying that compensation may be made him for his said services, is reasonable; and that the petitioner ought to be allowed the sum of 220*l.* for packing up the said records and papers; and also the further sum of 50*l.* as keeper of the capitol in Williamsburg, from the last session of Assembly to the first instant.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Christian:

MR. SPEAKER,—The Senate have agreed to proceed by joint ballot with this House, on Thursday next, to the choice of a brigadier general and field officers, to command the militia for the relief of South Carolina. And then he withdrew.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their further consideration the petition of George Daniel, guardian of William Murray, an orphan; and of Maurice Smith and Philip Montague, executors of William Roan, deceased, to them recommitted, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the said George Daniel, guardian of William Murray, an orphan; and of Maurice Smith and Philip Montague, executors of William Roan, deceased, praying that a negro man named Juba, the property of the said orphan, and a negro man slave named Gilbert, belonging to the estate of the said William Roan, who were ordered by the committee of Safety to be carried to the lead mines, there to be employed in the service of this State, may be returned, and compensation made them for their services, is reasonable; and that the said slaves ought to be delivered to their respective owners as soon as may be, at the public expense; and that the petitioners ought to be allowed the sum of 350*l.* for the hire of each of the said slaves.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and made a further progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, this day, again resolve itself into a committee of the whole House on the state of the Commonwealth.

On a motion made,

*Ordered*, That the committee of the whole House on the state of the Commonwealth, be discharged from proceeding on the fifth essay on free trade and finance, to them referred.

The House then, according to order, again resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and made a further progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

The order of the day, for the House to resolve itself into a committee of the whole House on the bill "to regulate the election of members of General Assembly," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the more equal distribution of intestates estates," being read,

*Ordered*, That the same be put off till Thursday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

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## TUESDAY, May 30, 1780.

Another member, having taken the oaths required by law, took his seat in the House.

A petition of John Newman, was presented to the House, and read; setting forth, that being a soldier in the second Georgia battalion, he received a wound at the taking of Savannah, on the 29th of December, 1778, which deprived him of his right arm; that the state of anarchy in Georgia, has prevented him from obtaining any support or relief there; and praying that this House will afford him relief.

Also, a petition of Alexander Stewart; setting forth, that the annuity formerly allowed him for wounds received in the Indian service being expired, he remains unrecovered of his wounds, in great distress; and praying further relief.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the Governor be desired, on account of the low state of the treasury, to suspend the purchase of horses to mount the cavalry for the present.

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence.

A petition of James Triplett and William Smith, inspectors of tobacco at Leed's town, was presented to the House, and read; setting forth, that the warehouses at the said inspection were lately broke open and a quantity of tobacco stolen thereout, without any default on the part of the petitioners; and praying to be made compensation for the same.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Harrison:

MR. SPEAKER.—The Senate have examined several enrolled bills, and find them to be truly enrolled; and their Speaker hath signed them. And then he withdrew.

The Speaker signed the following enrolled bills:

"An act, to embody militia for the relief of South Carolina, and for other purposes."

"An act, to empower the justices of Spottsylvania county, to hold courts in the house of John Holladay."

"An act, to secure to the public certain lands heretofore held as common."

"An act, repealing part of the act, entitled 'an act, sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits where such subjects are parties.'"

Mr. Mason reported, from the committee to whom the bill "to empower the sheriff of the county in which the General Court may sit, to summon a grand jury," was committed, that the committee had, according to order, had the said bill under their consideration, and had made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to regulate the election of members of General Assembly;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the said bill.

The Speaker laid before the House, a letter from the Governor, enclosing one from the President of Congress, with a resolution of that body calling for an immediate supply of money, which were read, and ordered to be referred to the committee of Ways and Means.

The Speaker laid before the House a letter from the Governor, enclosing letters from Governors Nash and Rutledge of North and South Carolina, respecting the situation of affairs in South Carolina, which were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Lee:

MR. SPEAKER.—The Senate have agreed to several resolutions for making certain allowances to William Dickerson, John Phripp, James Stewart, Hugh Wallis, William Criddle and Archibald Cumption.

They have also agreed to the resolution, to empower the Governor to suspend the purchase of horses to mount the cavalry. And then he withdrew.

A message from the Senate by Mr. Jones:

MR. SPEAKER.—The Senate have agreed to the resolution for making certain allowances to Major Charles deKlauman. And then he withdrew.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the Land Office," being read;

*Ordered*, That the same be put off till Thursday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY, May 31, 1780.

An engrossed bill, "to empower the sheriff of the county in which the General Court may sit, to summon a grand jury, and for explaining and amending the several acts, for fixing and paying the allowance of the members of the General Assembly," was read the third time; and the question being put, that the same do pass,

It was resolved in the affirmative.

Ayes

82

Nays

15

*Resolved*, That the title of the bill be, "an act, to empower the sheriff of the county in which the General Court may sit, to summon a grand jury, and for explaining and amending the several acts, for fixing and paying the allowance of the members of the General Assembly."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

On a motion made,

*Ordered*, That the names of the members who voted for and against the passage of the said bill, be entered on the Journal.

The names of those who voted in the affirmative are, Thomas Evans, Thomas Bailey, Isaac Davis, Everard Meade, Nicholas Cabell, Hugh Rose, Zachariah Johnston, John Cunningham, Moses Hunter, John Wood, Joseph Peebles, James Wall, Joseph Cabell, John Cabell, Thomas Lowry, John Taylor, John Tyler, John Mayo, George Carrington, Beverley Randolph, French Strother, Henry Hill, George Wray, George Mason, Martin Pickett, Thomas Napier, Joseph Holmes, Thomas Peyton, Thomas Smith, jun., Thomas Underwood, Stephen Sampson, James Reid, William Peters Martin, Parke Goodall, Patrick Henry, William Norvell, John Seabrooke Wells, Samuel Hardy, George Lyne, Philip Taliaferro, Carter Braxton, Holt Richeson, John Hill Carter, Francis Peyton, Richard Anderson, John Glenn, John Garland, Robert Munford, James Montague, Thomas Moore, James Chew, James Neal, Robert Sayers, Daniel Trigg, Kincher Godwin, Richard Baker, Armistead Russell, John Stratton, William Lee, Joseph Spencer, Benjamin Lankford, Thomas Terry, Littleberry Mosby, Wm. Mayo, jun., William Bibb, James Field, Bolling Starke, John Thoroughgood, Anthony Lawson, Lynaugh Hehn, John Hooe, William Peachy, Samuel McDowell, Mann Page, jun., George Stubblefield, Bailey Washington, William Fitzhugh, John West, Richard Henry Lee, William Campbell, Aaron Lewis, and John Hutchings.

And the names of those who voted in the negative are, John Pride, John Talbot, Joel Watkins, Wilson Miles Carey, Landon Carter, Thomas Johnson, John P. Posey, James Taylor, Henry Guy, John Gordon, John Rogers, John Taylor, Allen Cocke, Cole Digges, and Richard Lee.

*Ordered*, That Mr. Nicholas Lewis, have leave to be absent from the service of this House, until Thursday se'nnight; Mr. Newton, until Thursday fortnight; and Mr. Nicholas Cabell until Wednesday next.

The House proceeded to nominate persons proper to be ballotted for as a brigadier general, and field officers, to command the militia for the relief of South Carolina.

*Ordered*, That Mr. Richard Henry Lee do carry a list of them to the Senate.

The order of the day, for the House to resolve itself into a committee of the whole House on the bill, "to regulate the election of members of General Assembly," being read,

*Ordered*, That the same be put off till Wednesday next.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, June 1, 1760.

Another member, having taken the oaths required by law, took his seat in the House.

Several persons were withdrawn, and others added to the nomination of persons to be ballotted for as a brigadier general and field officers, to command the militia for the relief of South Carolina.

*Ordered*, That Mr. Richard Lee do carry lists of them to the Senate.

A motion was made, that this House do come to the following resolution:

*Resolved*, That the Governor, with the advice of the Council, be empowered and requested to examine into the management and state of the Foundry at Westham, to take such order, make such regulations, and give such directions therein, as they shall judge necessary, until the further order of the General Assembly.

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Mason do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That the committee of Ways and Means be discharged from proceeding on the circular letter from Congress, of the 19th ultimo, and the requisitions of that body of the same date, and that the said letter and requisitions be referred to the committee of the whole House on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and agreed to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

Congress having by express, informed his excellency the Governor, that they have received authentic intelligence, that a powerful land force and naval armament, is speedily expected to arrive in North America, to act in conjunction with our force, against the common enemy; and having also represented the exhausted state of the continental treasury, whereby they are rendered unable to act with vigor on this critical occasion, and to use with sufficient energy the army under the command of his excellency General Washington, which, if properly employed, might put an happy period to the war. And having required from this Commonwealth, an immediate supply of 1,953,200 dollars to be paid into the continental treasury, before the 15th of June, which if withheld, will produce an immediate stagnation



in all the departments of the war, and render the army an expensive but useless body. And it is evident, that in an extended State, like this, it is impossible by the slow collection of taxes, to comply with the pressing and instant demands of Congress.

*Resolved*, That it be recommended to the members of both Houses of the General Assembly, and to the gentlemen in the country and towns adjacent, for the purpose of complying with the above requisitions of Congress, to advance for the public use so much tobacco and such sums of money as they can possibly spare.

*Resolved*, That on this urgent occasion, the General Assembly will, on or before the first day of December next, repay to every subscriber a sum of money equal in value at the time of payment, to the sum advanced on this subscription, to be ascertained by the prices of tobacco fixed on by the grand jury in the courts of June and October next.

*Resolved*, That any person, his executors or administrators advancing money agreeable to the following resolutions, and paying the same either into the treasury or into the hands of Thomas Nelson, jun. Edmund Pendleton, Fielding Lewis, William Armistead, Garland Anderson, Bartlett Anderson, or William Call, Esquires, shall be allowed to discount the same out of their first taxes, with interest thereon, at the rate of six per centum, upon producing to the collector of the taxes for his county, the auditor's certificate for such payment, and such collector making such discount where it shall not amount to the whole sum mentioned in the certificate, shall endorse the same on the back thereof; and the person to whom it was granted or his assignee, may either receive the balance from the treasury or discount it in like manner out of his next taxes.

*Resolved*, That any person advancing tobacco agreeable to the above resolutions, which shall have been inspected since the first day of January, 1779, shall be repaid the same in good merchantable tobacco, equal in quality to that advanced, with an interest at the rate of six per centum, on or before the first day of April, which shall be in the year 1781.

*Resolved*, That the auditors be desired to send expresses at the public charge, to the sheriff of the county of Lancaster, and to such other sheriffs and escheators as are within one hundred miles of Richmond, and have not paid the money due for taxes and for the sales of the estates of British subjects, to require from them immediate payment at the treasury; and that they, in the speediest manner, compel payment from all delinquent sheriffs and escheators in this Commonwealth.

*Resolved*, That six hundred thousand pounds of the public tobacco, collected by an act, "laying a tax payable in certain enumerated commodities," be sold, in aid of the supplies hereinbefore directed, for the purpose of raising the money called for by Congress; and that the Governor with the advice of Council, take speedy order therein.

*Resolved*, That so soon as any considerable sum of money shall be obtained on these resolutions; that the Governor transmit the same expeditiously to the treasury of the United States, and continue so doing until the whole sum desired by Congress in their resolutions of May the 19th, shall have been remitted.

*Resolved*, That a subscription be immediately opened at the treasury, for the purpose of borrowing money and tobacco, according to the above resolutions; and the auditors be desired forthwith to forward by express or otherwise, copies of these resolutions, with the form of a subscription annexed, unto Thomas Nelson, jun. Edmund Pendleton, Fielding Lewis, William Armistead, Garland Anderson, Bartlett Anderson and William Call, Esquires.

*Ordered*, That Mr. Mason do carry these resolutions to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

The order of day, for the House to resolve itself into a committee of the whole House, on the bill, "for giving further time to obtain warrants upon certificates for pre-emption rights, and for returning certain surveys to the Land Office," being read,

*Ordered*, That the same be put off till to-morrow.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of a Governor or Chief Magistrate of the Commonwealth, for the ensuing year.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

Mr. Carey reported, from the committee of Propositions and Grievances, to whom the bill, "for regulating the fees of the register of the Land Office" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate agree to proceed to-morrow, by joint ballot with this House, to the choice of a Governor or Chief Magistrate of the Commonwealth, for the ensuing year. And then he withdrew.

The House proceeded to nominate a person proper to be ballotted for, as Governor or Chief Magistrate of the Commonwealth, for the ensuing year.

*Ordered*, That Mr. Henry do acquaint the Senate therewith.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have added several persons to the nomination for field officers, to command the militia for the relief of South Carolina. And then he withdrew.

*Ordered*, That Mr. Godwin have leave to be absent from the service of this House, until Wednesday se'nnight, and Mr. John Cabell until this day fortnight.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, for furnishing an immediate supply of money, agreeable to the requisitions of Congress, of the 19th ultimo. And then he withdrew.

A petition of sundry merchants and traders, of the towns of Norfolk and Portsmouth, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that so much of a late law as imposes a tax of two and a half per cent. upon goods, &c. imported and retailed, having retrospect, is unequal and oppressive; and praying that the same may be repealed.

*Ordered*, That the said petition be referred to the committee of Ways and Means; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Anthony Lawson, was presented to the House, and read; setting forth, that some time in the year 1777, he hired a negro man slave to the public, as a seaman to the Henry galley, who was afterwards by order of the Board of Trade, turned over to a trading vessel, and sent in her as pilot to Baltimore; that on the return of the vessel, she was captured by the enemy, and the petitioner's slave with her; and praying to be paid the value of the said slave, and hire from the time he was taken.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the field officers to be chosen for the regiments of militia to march to the assistance of South Carolina, shall take rank respectively, as colonels, lieutenant colonels and majors, according to their former priority of rank in the army, when they were in actual service; such priority to be determined by the Governor, with the advice of the Council; and that the rank of such field officers as shall not have been in regular service in the army, shall be determined by the majority of votes on the ballot.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Mason do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the resolution for settling the priority of rank among the field officers to command the militia for the relief of South Carolina. And then he withdrew.

The House, according to the order of the day, proceeded by joint ballot with the Senate, to the choice of a brigadier general to command the militia for the relief of South Carolina; and the members having prepared tickets for the person to be appointed, and put the same into the ballot glasses; Messrs. Richard Henry Lee, James Taylor, Tyler, and Starke, were nominated a committee, to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and report to the House on whom the majority of votes should fall.

*Ordered*, That Mr. Richard Henry Lee, do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House, and reported that they had met a committee from the Senate in the conference room, and had jointly with them examined the ballot glasses, and found a majority of votes in favor of Edward Stevens, Esquire.

The House proceeded in the same manner, to the appointment of four colonels to command the same militia; and it appears from the report of Messrs. Tyler, Randolph, Hunter, Mason and M'Dowell, the committee appointed to examine the ballot glasses, that the majority was in favor of Holt Richeson, George Stubblefield, Ralph Faulkner, and James Lucas, Esquires.

The House proceeded in the same manner, to the appointment of four lieutenant colonels, to command the same militia; and it appears from the report of Messrs. Randolph, Starke, Rose, John Hill Carter, Hunter and Lyne, the committee appointed to examine the ballot glasses, that the majority was in favor of John Glenn, Raleigh Downman, Joseph Spencer and John Nicholas, Esquires.

The House proceeded in the same manner, to the appointment of four majors, to command the same militia; and it appears from the report of Messrs. Lyne, M'Dowell, Hardy, Hooe, Cary and Starke, the committee appointed to examine the ballot glasses, that the majority was in favor of William Moseby, Henry Conway, Nathaniel Garsden Morris, and William Boyce, Esquires.

*Resolved*, That Edward Stevens Esq. be appointed brigadier general; Holt Richeson, George Stubblefield, Ralph Faulkner, and James Lucas, Esquires, colonels; John Glenn, Raleigh Downman, Joseph Spencer, and John Nicholas, Esquires, lieutenant colonels; and William Mosley, Henry Conway, Nathaniel Garsden Morris, and William Boyce, Esquires, majors, to command the militia for the relief of South Carolina; they having been so respectively elected by joint ballot of both Houses of Assembly.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Dixon:

MR. SPEAKER,—The Senate have added another person to the nomination for a Governor or Chief Magistrate of the Commonwealth for the ensuing year. And then he withdrew.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the more equal distribution of intestates estates," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.



FRIDAY, June 2, 1780.

Mr. Braxton reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration the petition of William Harvey, to them referred, complaining of an undue election and return of Mr. Thomas Moore, to serve as a delegate in this present General Assembly, for the county of Middlesex, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, from the deposition of Simon Fraser, that some time before the last election, a conversation passed between the said Thomas Moore, (then a candidate to represent the said county in Assembly,) and the deponent, when the said Moore mentioned an intention of taking up his residence in the county, and spending most of his time there; and further, said something to the deponent about his board, to which the deponent replied, that he was always welcome to such fare as his house afforded; and that he believes the said Moore to have been in the county for fourteen days preceding the election.

It also appears to your committee, from the deposition of Robert Curtis, that the said Thomas Moore resided with him for a fortnight, or more, before the election; and that the said Moore told the deponent it was his intention to reside in the county.

*Resolved, that it is the opinion of this committee,* That a delegate ought, by law, to be a resident in the county for which he is elected, at the time of such election.

*Resolved, that it is the opinion of this committee,* That the said Thomas Moore was not a resident in the said county of Middlesex, at the time of his being elected a delegate to represent the same in this present General Assembly.

*Resolved, that it is the opinion of this committee,* That the said Thomas Moore was unduly elected a delegate for the said county of Middlesex.

A petition of sundry inhabitants of the county of Botetourt, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that from their remote situation, the promulgation of the laws has been greatly delayed; whereby, and from various other causes, they cannot comply with some, and are aggrieved by the operation of other laws; and praying relief.

*Ordered,* That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, proceeded by joint ballot with the Senate, to the choice of a Governor or Chief Magistrate of the Commonwealth for the ensuing year; and the members having prepared tickets with the name of the person to be appointed, and put the same into the ballot glasses, Messrs. Henry, Richard Henry Lee, Mason and Page, were nominated a committee to meet a committee from the Senate, and, jointly with them, to examine the ballot glasses, and report to the House on whom a majority of votes should fall.

*Ordered,* That Mr. Henry do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House, and reported, that they had according to order, met a committee from the Senate in the conference chamber, and jointly with them examined the ballot glasses, and found a majority of votes in favor of Thomas Jefferson, Esq.

*Resolved,* That Thomas Jefferson, Esq. be appointed Governor or Chief Magistrate of this Commonwealth for one year; he having been elected to that office by joint ballot of both Houses of Assembly.

*Ordered,* That Mr. Henry do carry the resolution to the Senate, and desire their concurrence. *See insert.* Mr. Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the petition of John Newman, to them referred, and had agreed upon a report and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, that in the year 1776, the said John Newman was an inhabitant of this State, and enlisted under Captain John Mosley as a soldier, in the second Georgia battalion, which has since been put upon the continental establishment.

It also appears to your committee, that the said John Newman, in the year 1778, when the town of Savannah was attacked by the enemy, lost his right arm, which has rendered him incapable of procuring a livelihood by labor.

Whereupon, your committee came to the following resolution:

*Resolved, that it is the opinion of this committee,* That the petition of the said John Newman, praying that an allowance may be made him for the loss of his arm, is reasonable; and that the petitioner ought to be allowed the sum of 150*l.* for his present relief; and also, the half pay of a soldier, from the 29th of December, 1778, during life, to be charged to the continent in account with this Commonwealth.

*Ordered,* That Mr. Lee do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Stevens:

MR. SPEAKER.—The Senate have agreed to the resolution for appointing Thomas Jefferson, Esq. Governor or Chief Magistrate of the Commonwealth for one year. And then he withdrew.

*Ordered,* That a committee be appointed to notify to Mr. Jefferson his appointment to be Governor or Chief Magistrate of the Commonwealth for another year; and that Messrs. Henry, Richard Henry Lee, Mason and Page, be of the said committee.



*Ordered*, That Mr. Henry do acquaint the Senate therewith.

A message from the Senate by Mr. Christian:

MR. SPEAKER,—The Senate have agreed to the resolution to empower the Governor to take the direction of the public foundry at Westham. They have also agreed to the resolution, for appointing the general and field officers, to command the militia for the relief of South Carolina. And then he withdrew.

Mr. Starke reported, from the committee to whom was referred the petition of the inspectors of tobacco at Falmouth warehouses, that the committee had, according to order, had the same under their consideration, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That so much of the petition of the inspectors of tobacco at Falmouth warehouses, as prays that compensation may be made them for selling thirty-eight hogsheads of tobacco, and paying the money arising from the sale thereof into the public treasury, be rejected.

*Resolved*, that it is the opinion of this committee, That such other part of the said petition as prays an augmentation of their salaries, is reasonable.

*Ordered*, That the 2d resolution do lie on the table.

Mr. Carey reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, the petition of divers inhabitants of the county of Northumberland to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, and is as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the said inhabitants of the county of Northumberland, praying that the loss of tobacco sustained by the burning of Wicomico warehouses, in the month of June last, may be made good to the owners thereof, is reasonable.

And the said resolution being read a second time, was ordered to be recommitted to the same committee.

*Ordered*, That Messrs. Rose and Mosley, be added to the committee appointed to prepare and bring in a bill "to amend the act 'to revive several public warehouses for the inspection of tobacco."

*Ordered*, That Mr. Randolph have leave to be absent from the service of this House, until Saturday se'nnight; and Messrs. Cocke and West, until Monday se'nnight.

Mr. Braxton reported, from the committee of Privileges and Elections, that the committee had, according to order, examined the certificates of the elections of delegates to serve in this present General Assembly, compared the same with the form prescribed by law, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the certificates of the election of delegates to serve in this present General Assembly, for the counties of Accomac, Amelia, Amherst, Augusta, Berkeley, Brunswick, Buckingham, Caroline, Charles City, Charlotte, Chesterfield, Culpeper, Cumberland, Dinwiddie, Elizabeth City, Essex, Fairfax, Fauquier, Fluvanna, Frederick, Gloucester, Goochland, Greenbrier, Hanover, Henry, Henrico, James City, Isle of Wight, Lancaster, Louisa, Lunenburg, Loudoun, Mecklenburg, Middlesex, Montgomery, Nansemond, New-Kent, Norfolk, Northampton, Northumberland, Orange, Pittsylvania, Powhatan, Princess Anne, Prince Edward, Prince George, Prince William, Richmond, Rockbridge, Spottsylvania, Stafford, Surry, Southampton, Warwick, Westmoreland, York, and of a delegate for the borough of Norfolk, and city of Williamsburg, are made in the form prescribed by law.

*Resolved*, that it is the opinion of this committee, That the certificates of the election of delegates to serve in this present General Assembly, for the counties of Albemarle, Bedford, Botetourt, Halifax, King George, King William, King and Queen, Monongalia, Rockingham, Shenandoah and Washington, are not made in the form prescribed by law.

The 1st resolution was read a second time, and agreed to by the House.

The 2d resolution was read a second time, and ordered to be recommitted to the same committee.

*Ordered*, That a writ issue for the election of a delegate to serve in this present General Assembly, for the county of Middlesex, in the room of Thomas Moore, Esq. who was nudely elected.

The House being informed, that Mr. Wilson Miles Cary, a delegate returned to serve in this present General Assembly, for the county of Elizabeth City; and Mr. James Chew, a delegate returned to serve in this present General Assembly, for the county of Monongalia, were non-residents at the time of their election;

*Ordered*, That the committee of Privileges and Elections, do inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill, entitled "an act, to empower the sheriff of the county in which the General Court may sit, to summon a grand jury, and to explain and amend the several acts, 'for fixing the allowance of the members of the General Assembly,'" with an amendment; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment, and the same being read, was disagreed to.

*Ordered*, That Mr. Mason do acquaint the Senate therewith.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution, for paying a sum of money to Alexander Wiley. And then he withdrew.

An engrossed bill, "for regulating the fees of the register of the land office," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be "an act, for regulating the fees of the register of the land office, and for other purposes."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "for giving permanent salaries to the Judges of the Superior Courts;" and that Messrs. Tazewell, Strother, and Richard Henry Lee, do prepare and bring in the same.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, on the bill, "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the land office," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House on the bill, "for the more equal distribution of intestates estates," being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

### SATURDAY, June 3, 1780.

Another member, having taken the oaths required by law, took his seat in the House.

A motion was made, that the House do come to the following resolution:

*Resolved*, That Messrs. Dixon & Nicholson, the public printers, be empowered to purchase 30 reams of paper for printing the laws, journals, inspectors notes and books, and other public work, and that they render an account thereof to the auditors, who shall give them a warrant on the treasurer, for so much money as may be necessary to comply with such purchase.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

A petition of John Carlyle, was presented to the House, and read; setting forth, that the warehouses at Hunting creek inspection, in the town of Alexandria, are situated upon lands, the reversion of which will go at the demise of the present holder, to a son of the petitioner's, who is now a minor; that it would be much to the interest of all the parties, and of equal advantage to the public to remove the said inspection, either to the lands of Baldwin Dade, or to the lands of the heirs of John Alexander; and praying that the said inspection may be so removed.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

A petition of Walter King Cole, was presented to the House, and read; setting forth, that preceding the act, "for sequestering British property," and the subsequent acts of escheat and forfeiture, he held an equitable interest in part of the estate of Mr. Walter King of Bristol, his reputed father, which estate has been actually sold for the public benefit; that this equitable interest is since legally confirmed by deeds bona fide, executed by his said father: to obtain which, the petitioner actually went to Great Britain, before the operation of the acts of escheats and forfeitures, by which the estate was sold; that upon his return from thence, he finds himself barred of his interest in the said estate by the actual sale of the same; and praying relief.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Braxton reported, from the committee of Privileges and Elections, that the committee had, according to order, inquired into the case of Mr. Cary, a delegate returned to serve in this present General Assembly, for the county of Elizabeth City; and of Mr. Chew, a delegate returned to serve in this present General Assembly, for the county of Monongalia, respecting their being non-residents at the time of their election, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, that Mr. Cary, soon after the commencement of the present war, moved from Elizabeth City, with his family, to the county of Fluvanna, for which he has been elected, and served as a representative; that Mr. Cary hath since moved with his family to the county of Hanover, where they at present reside; that Mr. Cary is still in the commission of the peace for the county of Elizabeth City, where he hath lands and slaves, and to which he means to return when peace shall take place.

It appears to your committee, that Mr. Chew, is a justice of the peace and militia officer, for the county of Monongalia, where he hath resided the greater part of his time, and hath not a freehold in any other county.



*Resolved*, that it is the opinion of this committee, That Mr. Cary was a resident of the county of Hanover, at the time of his being elected a delegate to represent the county of Elizabeth City, in this present General Assembly.

*Resolved*, that it is the opinion of this committee, That Mr. Chew, was a resident of the county of Monongalia, at the time of his being elected a delegate to represent the same in this present General Assembly.

*Resolved*, That Mr. Wilson Miles Cary, a delegate returned to serve in this present General Assembly, for the county of Elizabeth City, being a non-resident at the time of his election, was ineligible as a member of this House.

The Speaker laid before the House a letter from the Governor, enclosing the resignation of Mr. William Armistead, a commissioner of continental loans within this State, which was read, and ordered to lie on the table.

*Resolved*, That this House will, on Tuesday next, proceed by joint ballot with the Senate, to the choice of a commissioner of continental loans within this State, in the room of Mr. William Armistead, who hath resigned.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the state of the Commonwealth under their consideration, and made a further progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Jones :

MR. SPEAKER,—The Senate have agreed to the resolution, for paying a sum of money to George Daniel, and to Smith and Montague. And then he withdrew.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate adhere to their amendment, disagreed to by this House, to the bill "to enable the sheriff of the county in which the General Court may sit, to summon a grand jury, and for explaining and amending the several acts, 'for fixing and and paying the allowance of the members of the General Assembly.'" And then he withdrew.

Mr. Henry, from the committee appointed in conjunction with a committee of the Senate, to notify to Thomas Jefferson, Esq. his appointment to be Governor of the Commonwealth for another year, reported, that the committee had, according to order, waited on that gentleman, and notified his appointment, and that he was pleased to return the following answer:

I receive with great satisfaction this testimony of the public approbation, and beg leave through you gentlemen, to return my sincere thanks to the General Assembly. I shall cheerfully again encounter the anxieties and assiduities inseparable from the important office to which you are pleased a second time to call me, and only wish to be able to call forth those effectual exertions of my country, which our friends expect, and the present emergency requires.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the land office," being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

## MONDAY, June 5, 1780.

Another member, having taken the oaths required by law, took his seat in the House.

*Ordered*, That writs issue for the election of delegates to serve in this present General Assembly, for the county of Elizabeth City, in the room of Mr. Wilson Miles Cary, who being a non-resident, was ineligible at the time of his election; and for the county of Botetourt, in the room of General Andrew Lewis, appointed a member of the Privy Council or Council of State.

Mr. Zachary Johnson presented, according to order, a bill "to empower the high sheriffs to proceed in a summary way against their deputies," and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That Mr. Richeson have leave to be absent from the service of this House, for the remainder of the session.

Mr. Tazewell presented, according to order, a bill "for giving permanent salaries to the judges of the Superior Courts;" and the same was received and read the first time, and ordered to be read a second time.

The House proceeded to consider the amendment of the Senate disagreed to by this House, and adhered to by the Senate, to the bill "to enable the sheriff of the county in which the General Court may sit, to summon a grand jury, and for explaining and amending the several acts for fixing and paying the allowance of the members of the General Assembly;" and the same being read,

*Resolved*, That this House doth adhere to their disagreement to the said amendment.

*Ordered*, That Mr. Mason do acquaint the Senate therewith.



*Ordered*, That leave be given to bring in a bill "to empower the sheriff of Henrico to summon a grand jury;" and that Messrs. Starke, Richard Henry Lee, Mason, Tazewell and Hardy, do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and had come to several resolutions thereupon, which the committee had directed him to report, when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

The Speaker laid before the House a letter from the Governor, enclosing one from Governor Nash of North-Carolina, containing intelligence from Charleston, which were read and ordered to lie on the table.

The Speaker laid before the House a letter from the Governor, enclosing one from the President of Congress, together with a resolution of that body, concerning a Monsieur Legrass of Illinois, and several letters and papers on the subject thereof, which were read and ordered to be referred to Messrs. Starke, Todd, Braxton, James Taylor, M'Dowell and Ball.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to proceed, to-morrow, by joint ballot with this House, to the choice of a commissioner of continental loans. And then he withdrew.

The House proceeded to nominate persons proper to be ballotted for as a commissioner of continental loans.

*Ordered*, That Mr. Richard Lee, do carry a list of them to the Senate.

A petition of the society of people called Baptists was presented to the House, and read; setting forth, that doubts have arisen whether marriages solemnized by dissenting ministers are valid; and praying that an act may pass, to declare such marriages lawful.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill "for locating the public squares, and to enlarge the town of Richmond;" on the bill "for the more equal distribution of intestates estates;" and on the bill "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the land office," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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## TUESDAY, June 6, 1780.

A bill, "to empower the high sheriffs to proceed in a summary way against their deputies," was read the second time, and ordered to be committed to Messrs. John Mayo, Zachary Johnson, Starke and Hoomes.

A bill, "for giving permanent salaries to the judges of the Superior courts," was read the second time, and ordered to be committed to a committee of the whole House, on Friday next.

*Ordered*, That Mr. Stubblefield, have leave to be absent from the service of this House, for the remainder of the session.

The Speaker laid before the House a letter from Col. Abraham Buford, at Camden in South-Carolina, containing information of the state of affairs there, and enclosing a copy of the articles of capitulation acceded to for the surrender of Charleston, which was read, and ordered to lie on the table.

Mr. Starke presented, according to order, a bill "to empower the sheriff of Henrico to summon a grand jury;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Mason reported, from the committee of Ways and Means, that the committee had taken into their consideration, the means of providing provisions and arms necessary for the militia and troops for the defence of this Commonwealth, and to repel the common enemy, and had agreed to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

Whereas, in the present alarming and critical situation of the war with a powerful enemy, in the neighboring southern States, it may be indispensably necessary to provide and collect in proper places with the utmost expedition, large stores of provisions, either to supply our own militia or continental troops, or for supplying the troops sent by our good allies to the assistance of these United States;

*Resolved*, that it is the opinion of this committee, That the Governor and Council ought to be invested with proper authority, to appoint commissioners in all the counties eastward of the Alleghany mountains, to examine into the state and quantity of provisions in the possession of every person and family, and allowing what shall be sufficient for the necessary maintenance and support of each family, until the first day of December next, to seize the surplus for public use, giving certificates to the owners, to be paid by the public, at the real value of such provisions at the time the same shall have been delivered.

*Resolved*, That the public arms be, without delay, repaired, and made fit for service; that for this purpose a sufficient number of workmen be called from the public factory, or otherwise collected, as to the Governor, with the advice of Council, shall appear necessary; and that the executive provide a sufficient supply of cartouch boxes;

And the said resolutions being read a second time, were ordered to be referred to the committee of the whole House on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and agreed to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House, as followeth:

Whereas, in the present alarming and critical situation of the war, with a powerful enemy in the neighboring Southern States, it may be indispensably necessary to provide and collect in proper places, with the utmost expedition, large stores of provisions, either to supply our own militia or continental troops, or for supplying the troops sent by our good Allies to the assistance of these United States;

*Resolved*, that it is the opinion of this committee, That the Governor and Council ought to be invested with proper authority to appoint commissioners in such counties as they shall judge necessary, to examine into the state and quantity of provisions in the possession of every person and family; and allowing what shall be sufficient for the necessary maintenance and support of each family, until the first day of December next, to seize the surplus for public use, giving certificates to the owners, to be paid by the public at the real value of such provisions at the time the same shall have been delivered, which certificates shall be received by the sheriffs of such counties, in discharge of the taxes due from the holders thereof.

*Resolved*, That the public arms be, without delay, repaired and made fit for service; that for this purpose a sufficient number of workmen be called from the public factory or otherwise collected, as to the Governor, with advice of Council shall appear necessary; and that the executive provide a sufficient supply of cartouch boxes and cartridge paper.

*Ordered*, That a bill or bills, be brought in pursuant to the first resolution; and that the committee of Ways and Means do prepare and bring in the same.

*Ordered*, That Mr. Tazewell do carry the second resolution to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

Mr. Page reported, according to order, the resolutions agreed to yesterday by the committee of the whole House on the state of the Commonwealth; and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That ample and certain funds ought to be established, for sinking the quota of the continental debt due from this State in ten years.

*Resolved*, that it is the opinion of this committee, That certain funds ought to be established for furnishing to the continent the quota of this State, for the support of the war for the current year.

*Resolved*, that it is the opinion of this committee, That a specific tax ought to be laid for the use of the continent, in full proportion to the abilities of the people.

And the first resolution being read a second time, the amendment following was proposed to be made thereunto: To strike out the word "ten," and insert "fifteen."

And the question being put, that the House do agree to the said amendment, It was resolved in the affirmative.

The amendment following, was also proposed to be made to the said resolution:

To strike out from the word "that," to the end of the resolution, and to insert "the act of Congress of the 18th of March last, ought to be adopted, that this Commonwealth will take upon itself its due proportion of the one hundred and eighty millions of dollars, issued by Congress, and recommended to be speedily called in by taxes or otherwise; and that the General Assembly will redeem or call in the same, and also establish certain funds for the redemption of this Commonwealth's due proportion of the new money to be issued in lieu thereof, in the manner and time proposed by Congress, as far as the circumstances of this Commonwealth will admit."

And the question being put, that the House do agree to the said amendment, It passed in the negative.

Ayes 25.

Noes 59.

The names of those who voted in the affirmative are, Thomas Evans, Everard Meade, Zachary Johnson, Thomas Lowry, William Watkins, George Mason, William Peters Martin, William Norvell, John Todd, Landon Carter, William Ball, John Hill Carter, Thomas Johnson, Armistead Russell, William Lee, Littleberry Mosby, Lynaugh Helm, William Peachey, Samuel McDowell, Mann Page, jun., Bailey Washington, William Fitzhugh, Cole Digges, Richard Henry Lee, Henry Tazewell.

And the names of those who voted in the negative are, Thomas Bailey, sen., Isaac Davies, John Pride, Hugh Rose, John Cunningham, John Talbot, Adam Stephen, Moses Hunter, Joseph Peebles, Joseph Cabell, Joel Watkins, John Mayo, George Carrington, French Strother, Henry Hill, Joseph Jones, John Edmondson, Martin Pickett, Charles Chilton, Thomas Napier, Isaac Zane, Joseph Holmes, Thomas Smith, jun., Thomas Underwood, Stephen Sampson, James Reid, Parke Goodall, Richard Chapin, Patrick Henry, Peter Saunders, Samuel Harly, Stephen

Trigg, Philip Taliaferro, Carter Braxton, Francis Peyton, Richard Anderson, John Garland, Robert Munford, James Chew, James Neale, Robert Sayres, Daniel Trigg, Richard Daher, James Taylor, Henry Guy, Joseph Spencer, Benjamin Lankford, Thomas Terry, William Mayo, jun., William Bibb, James Field, Bolling Starke, John Hooe, Andrew Moore, James Taylor, Richard Lee, William Campbell, Aaron Lewis, and William Reynolds.

The amendment following was also proposed to be made to the said resolution:

To add to the end thereof, as amended, the following words: "but there having been so general and great depreciation in the said paper money issued by Congress, that for many months past, it hath, by common consent, been circulated, paid and received at rates not exceeding one-fortieth part of the value of gold and silver, whereby the public debt hath been nominally increased to such an enormous sum, as renders it impracticable to discharge the same at the value expressed in the bills; and it is unreasonable and unjust that the good people of this Commonwealth, or of the the other United States, should be burthened with grievous and oppressive taxes, to appreciate the said money to so much higher value than the present money holders have received it for;

*Resolved*, That in the payment of the taxes, for the redemption thereof, one Spanish silver dollar ought to be received for forty of the said paper dollars, and other silver and gold coins in the same proportion; and that so much of this Commonwealth's quota of the said paper money as shall remain outstanding at the end of the said fifteen years, ought to be discharged in gold or silver coin at the same rate."

And the question being put, that the House do agree to the said amendment,  
It passed in the negative.

Ayes 28.

Noes 53.

The names of those who voted in the affirmative are, Everard Meade, Zachary Johnson, William Watkins, George Mason, William Peters Martin, William Norvell, John Todd, Philip Taliaferro, Landon Carter, William Ball, John Hill Carter, Thomas Johnson, Armistead Russell, William Lee, Littleberry Mosby, William Mayo, jun., James Field, Bolling Starke, Lynaugh Helm, Samuel McDowell, John Rogers, Mann Page, jun., Bailey Washington, William Fitzhugh, Cole Digges, Richard Lee, Richard Henry Lee, Henry Tazewell.

And the names of those who voted in the negative are, Thomas Bailey, sen., Isaac Davis, John Pride, Hugh Rose, John Cunningham, John Talbot, Adam Stephen, Moses Hunter, Joseph Peebles, Joseph Cabell, Joel Watkins, John Watkins, John Mayo, George Carrington, French Strother, Henry Hill, Joseph Jones, George Wray, John Edmondson, Martin Pickett, Charles Chilton, Thomas Napier, Isaac Zane, Joseph Holmes, Thomas Smith, jun., Thomas Underwood, Stephen Sampson, James Reid, Parke Goodall, Richard Chapman, Patrick Henry, Peter Saunders, Samuel Hardy, Stephen Trigg, Carter Braxton, Francis Peyton, Richard Anderson, John Garland, James Chew, Daniel Trigg, Richard Baker, James Taylor, Henry Guy, Joseph Spencer, Benjamin Lankford, Thomas Terry, William Bibb, John Hooe, Andrew Moore, John Taylor, William Campbell, Aaron Lewis, and William Reynolds.

And then the question being put, that the House do agree to the said first resolution, as amended,  
It was resolved in the affirmative.

The 2d and 3d resolutions were read a second time and agreed to by the House.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions; and that the committee of Ways and Means do prepare and bring in the same.

The order of the day, for the House to proceed by joint ballot with the Senate, to the choice of a commissioner of continental loans, being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That Mr. Braxton do acquaint the Senate therewith.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills "for locating the public squares and to enlarge the town of Richmond;" "for the more equal distribution of intestates estates;" and "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the land office," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY, June 7, 1780.

A bill, "to empower the sheriff of Henrico to summon a grand jury," was read the second time and ordered to be engrossed and read the third time.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to James Newman. And then he withdrew.

A motion was made, that the House do come to the following resolution:

It appearing that the officers of the convention troops at the barracks, in Albemarle county, have purchased up a considerable number of valuable horses, which, if permitted to be carried out of the State, may be employed by the enemy greatly to our injury:



*Resolved*, That the Governor be desired to require all officers and soldiers belonging to the convention troops, immediately to dispose of all horses in their possession; and if any officer or soldier shall refuse, within days so to do, that proper persons be appointed to seize the said horses, and that they be appropriated to the public use;

And the said resolution being read a second time, was ordered to lie on the table.

Mr. Braxton reported, from the committee of Privileges and Elections, that the committee had, according to order, re-examined several certificates of the election of delegates to serve in this present General Assembly, compared the same with the form prescribed by law, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the certificates of the election of delegates to serve in this present General Assembly, for the counties of Albemarle, Botetourt, Bedford, Halifax, King and Queen, King William, King George, Monongalia, Rockingham, Shenandoah, and Washington, are not made in the form prescribed by law.

*Ordered*, That the returns for the counties of Albemarle, Botetourt, King George, and Monongalia, do lie on the table.

*Ordered*, That the returns for the counties of Bedford, Halifax, King and Queen, King William, Rockingham, Shenandoah, and Washington, be amended at the clerk's table; and the said returns were amended by the clerk accordingly.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the Land Office;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The House, according to the order of the day, proceeded by joint ballot with the Senate, to the choice of a commissioner of continental loans; and the members having prepared tickets, with the name of the person to be appointed, and put the same into the ballot glasses, Messrs. Page, Henry and Edmondson, were nominated a committee, to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and report to the House on whom the majority of votes should fall.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House and reported, that they had according to order, met a committee from the Senate in the conference chamber, and jointly with them examined the ballot glasses, and found a majority of votes in favor of Mr. John Hopkins.

*Resolved*, That Mr. John Hopkins be appointed a commissioner of continental loans within this State, in the room of Mr. Wm. Armistead who hath resigned, he having been so elected by joint ballot of both Houses of Assembly.

*Ordered*, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence. *6. 7. 8.*

A message from the Senate by Mr. Coles:

MR. SPEAKER,—The Senate have agreed to the resolution for repairing the public arms and procuring a supply of cartouch boxes and cartridge paper. They have also agreed to the resolution to empower the public printers to purchase a quantity of paper for printing the laws and other public work. And then he withdrew.

*Ordered*, That leave be given to bring in a bill "to give further encouragement for apprehending deserters;" and that Messrs. Richard Henry Lee, McDowell and Stevens, do prepare and bring in the same.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the more equal distribution of intestates estates," being read,

*Ordered*, That the same be put off till Monday next.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolution appointing Mr. John Hopkins commissioner of continental loans within this State. And then he withdrew.

An engrossed bill, "to empower the sheriff of Henrico to summon a grand jury," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to empower the sheriff of Henrico to summon a grand jury, and for explaining the several acts of Assembly respecting the wages of the members of the General Assembly."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to regulate the election of members of General Assembly;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the privilege of the House extendeth as well to exempt from impress or seizure, the horses belonging to the members, necessary for their travelling to or from the General Assembly, as to the exemption of their persons and servants from arrests.

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Messrs. Spencer and Henry, have leave to be absent from the service of this House for the remainder of the session.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bill "for locating the public squares and to enlarge the town of Richmond," being read.

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, June 8, 1780.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill, "to empower the sheriff of Henrico to summon a grand jury, and for explaining the several acts of Assembly respecting the wages of the members of the General Assembly," with an amendment; to which they desire the concurrence of this House. And then he withdrew.

Mr. Starke presented, according to order, a bill "to amend the act 'for reviving several public warehouses for the inspection of tobacco;'" and the same was received and read the first time, and ordered to be read a second time.

The Speaker laid before the House a letter from the Governor, respecting a proposal made to the executive for the purchase of a part of the public tobacco; which was read, and ordered to lie on the table.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the General Assembly approve of the proposal made to the executive, for disposing of part of the public tobacco, agreeable to the resolutions of the 1st instant.

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the Governor be desired and empowered, with the advice of the Council, to appoint proper persons to purchase such horses and accoutrements as may be necessary to mount and equip the light dragoons raised within this State for the continental army; that the owners of the said horses shall be entitled to a discount against any future taxes, for the value of the horses by them respectively sold, or to the money in six months from the time of purchase, or to receive loan office certificates from the treasurer to the amount of such sale, on its being properly certified.

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Munford do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of a naval officer for the district of Accomac and Northampton.

*Ordered*, That Mr. Munford do acquaint the Senate therewith.

*Ordered*, That leave be given to bring in a bill "to amend the act 'to embody militia for the relief of South Carolina, and for other purposes;'" and that Messrs. Starke, and Richard Henry Lee, do prepare and bring in the same.

The House proceeded to consider the resolution which lay on the table, to oblige the officers and soldiers of the Saratoga Convention troops to dispose of their horses; and the same being twice read, and amended, was agreed to by the House, as followeth:

It appearing that the officers of the Convention troops at the barracks in Albemarle county, have purchased up a considerable number of valuable horses, which, if permitted to be carried out of the State, may be employed by the enemy greatly to our injury;

*Resolved*, That the Governor be desired, to require all officers and soldiers belonging to the Convention troops, immediately to dispose of all horses in their possession, except such as they may have brought with them into this State on their removal hither from the Eastward; and if any officer or soldier shall refuse within twenty days so to do, that proper persons be appointed to seize the said horses; that they be sold at public auction, and the money arising therefrom paid the respective proprietors.

*Ordered*, That Mr. Page do carry the resolution to the Senate, and desire their concurrence.

Mr. Starke presented, according to order, a bill "to amend the act 'to embody militia for the relief South Carolina;'" and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration two memorials to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That such parts of the said memorial, as pray that marriages solemnized by dissenting ministers, either by license or publication, may be declared lawful, is reasonable.

*Resolved*, that it is the opinion of this committee, That such other parts of the memorial of sundry inhabitants of the county of Amelia, as pray, that the vestries in the several parishes may be dissolved, and elected hereafter by the free voice of the people, and that marriage licenses may be directed to any minister, regularly ordained according to the rules of his society, is reasonable.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions; and that the committee for Religion do prepare and bring in the same.

A bill, "to amend the act, 'to embody militia for the relief of South Carolina,' and for other purposes;" was read the second time, and ordered to be engrossed, and read the third time.

Several petitions of sundry inhabitants of the county of Kentucky, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that from the great extent of their county, and the frequent ravages of the Indian enemy, the communication between the several settlements in that county hath become extremely dangerous and inconvenient, whereby the laws and other public proceedings are greatly retarded in their execution; that the several settlements are sufficiently compact and populous, to form distinct counties; that there are several advantageous situations, on which to establish towns, and which unless appropriated by law for that purpose, may be taken up by individuals; and praying that their said county may be divided into three distinct counties, agreeable to certain boundaries expressed in the said petitions, and towns established at the several places therein mentioned.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the Land Office;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, again had the said bill under their consideration, and made a further progress therein, but not having time to go through the same, they had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

An engrossed bill, "to amend the act, 'to embody militia for the relief of South Carolina,' and for other purposes;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, to amend the act, 'to embody militia for the relief of South Carolina,' and for other purposes."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

Mr. Mason, from the committee of Ways and Means, presented, according to order, a bill "for procuring an immediate supply of provisions and other necessities for the use of the army;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill, "to embody five thousand men, for the defence of this and our sister States;" and that Messrs. Starke, Fleming, Lawson, Talbot, Joseph Cabell, Francis Peyton, Munford, William Watkins, Hunter, Southall and Ball, do prepare and bring in the same.

A bill, "for procuring an immediate supply of provisions and other necessities, for the use of the army;" was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

The House nominated a person proper to be ballotted for, as naval officer for the district of Accomac and Northampton.

*Ordered*, That Mr. Munford do acquaint the Senate therewith.

*Ordered*, That Mr. Buford have leave to be absent from the service of this House, until Monday se'nnight.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bill "for locating the public squares, and to enlarge the town of Richmond," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

FRIDAY, June 9, 1780.

A message from the Senate, by Mr. Bassett:

Mr. SPEAKER,—The Senate have agreed to the resolution approving the proposal made to the executive, for disposing of part of the public tobacco; they have also agreed to the resolution to purchase horses, for mounting certain cavalry; and they do agree to proceed to day, by joint ballot with this House, to the choice of a naval officer for the district of Accomac and Northampton. And then he withdrew.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the Governor and Council be requested to issue peremptory orders immediately to all the officers and soldiers belonging to the Convention troops, who are now absent from the barracks, to repair thither forthwith; and if the future movements of the common enemy indicate a design of rescuing the said Convention troops, that he also give orders for their removal to a place of greater security;

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.



*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the treasurer deliver to the auditors, a list of the names of such persons as have advanced money to the public upon the Governor's address for that purpose, and of the sums so advanced; and that the auditors do thereupon issue certificates for the same, which certificates shall be either discharged at the treasury on demand, with six per centum per annum interest thereon, from the time of lending to the time of payment; or the same may, at the option of the person to whom the same is granted, be paid in discharge of money taxes due hereafter, as far as the amount of said certificates will apply; and where the sum expressed in the certificate shall exceed the amount of tax, the sheriff or collector shall endorse on the back of the certificate the amount of tax so discharged, and the balance of said certificate may be either paid at the treasury in manner aforesaid, or be applied in payment of future money taxes;

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That Mr. Fitzhugh have leave to be absent from the service of this House, until Monday se'nnight.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for procuring a supply of provisions and other necessities for the use of the army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate, by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill "to amend the act, 'to embody militia for the relief of South Carolina,' and for other purposes;" they have also agreed to the resolution to empower the Governor and Council to order the officers and soldiers of the Convention troops to their barracks. And then he withdrew.

The Speaker laid before House, a letter from the Governor, enclosing one from Governor Nash of North Carolina respecting the operations of the enemy in South Carolina; and the same were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the Governor and Council ought to be invested with full powers to call forth the force and resources of this State, to oppose the common enemy.

*Resolved*, that it is the opinion of this committee, That one million of pounds ought to be emitted for the present purposes of the war.

*Resolved*, that it is the opinion of this committee, That certain funds ought to be established at the next session of the General Assembly, and applied to the redemption of the money to be emitted for the present purposes of the war, in fifteen years.

*Resolved*, that it is the opinion of this committee, That the regiments of this Commonwealth in the continental line, and the two State regiments in the service and pay of the continent, ought to be speedily and fully recruited.

*Ordered*, That a bill or bills, be brought in pursuant to the three first resolutions; and that the committee of Ways and Means do prepare and bring in the same.

*Ordered*, That a bill or bills, be brought in pursuant to the fourth resolution; and that Messrs. Page, Lawson, Stephens, Francis Peyton, Hoomes, Peachey, Hunter and Todd, do prepare and bring in the same.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

A message from the Senate, by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "for regulating the fees of the register of the land office, and for other purposes;" with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendment of the Senate, to the bill "to empower the sheriff of Henrico to summon a grand jury, and for explaining the several acts of Assembly, respecting the wages of the members of the General Assembly;" and the same being read, was disagreed to by the House.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

*Ordered*, That a free conference be desired of the Senate, on the subject matter of the said amendment.

*Resolved*, That Messrs. Mason, Richard Henry Lee, and Starke, do manage the conference.

*Ordered*, That Mr. Mason do acquaint the Senate therewith.

The order of the day, for the House to proceed by joint ballot with the Senate, to the choice of a naval officer, for the district of Accomac and Northampton, being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That Mr. Munford do acquaint the Senate therewith.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bills "for giving permanent salaries to the judges of the Superior Courts;" "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the land office;" and "for locating the public squares, and to enlarge the town of Richmond," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, June 10, 1780.

A motion was made, that the House do come to the following resolution:

*Resolved*, That it be recommended to his excellency the Governor, with advice of Council, to authorise and appoint Col. Edward Carrington, of the artillery, who voluntarily offers his services at this critical conjuncture of affairs) to supervise and direct the repairs of arms; to order the manufacture of so many military accoutrements as he may see cause, and to take such measures in general towards the equipment of the force ordered forth from this State, as may appear to him expedient and necessary.

And the said resolution being read a second time, was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lawson do carry the resolution to the Senate, and desire their concurrence.

Mr. Fleming reported, from the committee of Courts of Justice, that the committee had, according to order, examined what laws have lately expired, and inspected such temporary laws as will expire at the end of this session, or are near expiring, and had agreed to a report and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the act of Assembly passed in the year 1776, entitled "an act for the inspection of pork, beef, flour, tar, pitch and turpentine," which expired on the 26th day of June, 1779, ought to be revived.

*Resolved*, that it is the opinion of this committee, That the act of Assembly passed in the year 1776, entitled "an act, for the appointment of Naval Officers, and ascertaining their fees," which was continued by several subsequent acts, and will expire at the end of this present session of Assembly, ought to be further continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly passed in the year 1777, entitled "an act for giving certain powers to the Governor and Council," which was continued by several subsequent acts, and will expire at the end of this present session of Assembly, ought to be further continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly passed in the year 1778, entitled "an act to empower the Governor and Council to lay an embargo for a limited time," which was continued by several subsequent acts, and will expire at the end of this present session of Assembly, ought to be further continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly passed in the year 1778, entitled "an act, for establishing the county of Illinois, and for the more effectual protection and defence thereof," which expired on the 24th day of December last, ought to be revived.

*Resolved*, that it is the opinion of this committee, That the act of Assembly passed in the year 1778, entitled "an act, to enable the Governor and Council to supply the Armies and Navies of the United States, and of their Allies, with grain and flour," which was continued by several subsequent acts, and will expire at the end of this session of Assembly, ought to be further continued.

The first, second and fourth resolutions were read a second time, and agreed to by the House.

The third, fifth and sixth resolutions were read a second time, and ordered to lie on the table.

*Ordered*, That a bill or bills, be brought in pursuant to the first, second and fourth resolutions; and that the committee of Courts of Justice do prepare and bring in the same.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the free conference proposed by this House, on the subject matter of their amendment to the bill, "to empower the sheriff of Henrico to summon a grand jury, and for explaining the several acts of Assembly, respecting the wages of the members of the General Assembly." And then he withdrew.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate are satisfied with the nomination of a naval officer for the district of Accomac and Northampton; they have no other person to propose, and are willing that the gentleman nominated should be appointed, without the formality of a ballot. And then he withdrew.

*Resolved*, That Mr. William Gibbs, be appointed naval officer for the district of Accomac and Northampton.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

Mr. Braxton reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration the case of Mr. William Bibb, to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, that the said William Bibb did receive at the last session of Assembly nine days wages more than he was by law entitled to, being absent from the service of the House that number of days.

It also appears to your committee, that the said William Bibb in conversation with some members, after he had received the money for his wages, was told that he had done wrong, but the said Bibb urged his being informed it had been a practice with some members to draw their pay for days in which they were absent from the service of the House.

It further appears to your committee, that Mr. Flournoy, upon being told that the said William Bibb had drawn more money than he was legally entitled to for his attendance on the Assembly, refunded the amount of the same;

Whereupon, your committee came to the following resolution:

*Resolved, that it is the opinion of this committee, That the said William Bibb, in drawing the aforesaid nine days wages, acted more from error than a design of defrauding the public.*

And the said resolution being read a second time, was ordered to be recommitted to the same committee.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for locating the public squares, and to enlarge the town of Richmond;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and had made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered, That the bill, with the amendments, be engrossed and read the third time.*

An engrossed bill, "for procuring a supply of provisions and other necessities for the use of the army;" was read the third time, and the blanks therein filled up.

*Resolved, That the bill do pass, and that the title be, "an act, for procuring a supply of provisions and other necessities for the use of the army."*

*Ordered, That Mr. Page do carry the bill to the Senate, and desire their concurrence.*

*Ordered, That Messrs. Innes and Meade, be added to the committee appointed to prepare and bring in a bill, "for recruiting the regiments of the Commonwealth, in continental service."*

The House proceeded to consider the amendments of the Senate to the bill, "for regulating the fees of the register of the Land Office, and for other purposes;" and the same being read were agreed to.

*Ordered, That Mr. Mason do acquaint the Senate therewith.*

A message from the Senate by Mr. Taylor:

MR. SPEAKER,—The Senate have receded from their amendment to the bill "to empower the sheriff of Henrico to summon a grand jury, and for explaining the several acts of Assembly respecting the wages of the members of the General Assembly." And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the Land Office;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fleming reported, that the committee had, according to order, again had the said bill under their consideration, and made a further progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved, That this House will, on Monday next, again resolve itself into a committee of the whole House on the said bill.*

Mr. Strother reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration sundry petitions of divers inhabitants of the county of Kentucky, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee, That the petition of divers inhabitants of the north side of the said county of Kentucky, praying that the same may be divided by a line, beginning at the mouth of Kentucky river, and running up the same, and its middle fork to the head, and thence southeast to the line of Washington county; and that the place for holding their Courts may be established by a majority of the people, is reasonable.*

*Resolved, that it is the opinion of this committee, That the petition of divers other inhabitants of the south side of the said county of Kentucky, praying that all that part of the south side of Kentucky river which lies below Hammond's creek and the Beach-knobs, may be formed into a distinct and separate county, is reasonable.*

*Resolved, that it is the opinion of this committee, That the petition of divers other inhabitants of the said county of Kentucky, praying that a town may be established at the Falls of the river Ohio, is reasonable.*

*Ordered, That a bill or bills, be brought in pursuant to the said resolutions; and that the committee of Propositions and Grievances do prepare and bring in the same.*

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bill, "for giving permanent salaries to the Judges of the Superior Courts," being read,

*Ordered, That the same be put off till Monday next.*

And then the House adjourned till Monday morning, 10 o'clock.



MONDAY, June 12, 1780.

A message from the Senate by Mr. Cabell :

MR. SPEAKER,—The Senate have agreed to the resolution appointing Col. Edward Carrington to supervise the repairing the public arms, &c. with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The said amendments were read, and agreed to by the House.

*Ordered*, That Mr. Lawson do acquaint the Senate therewith.

A message from the Senate by Mr. Mathews :

MR. SPEAKER,—The Senate have agreed to the resolution for auditing the loans of money made by the Governor, during the recess of the Assembly. And then he withdrew.

An engrossed bill, “for locating the public squares, and to enlarge the town of Richmond;” was read the third time, and the blank therein filled up.

*Resolved*, That the bill do pass, and that the title be “an act, for locating the public squares, and to enlarge the town of Richmond.”

*Ordered*, That Mr. Tazewell do carry the bill to the Senate, and desire their concurrence.

Mr. Todd, from the committee of Propositions and Grievances, presented, according to order, a bill “for dividing the county of Kentucky into three distinct counties;” and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That Mr. Taylor of Caroline, be added to the committee appointed to prepare and bring in a bill “to embody 5,000 men for the defence of this, and our sister States.”

Mr. Richard Henry Lee presented, according to order, a bill “for the more general diffusion of knowledge;” and the same was received.

A motion was made, and the question being put, that the said bill be read the first time on the first Tuesday in November next,

It was resolved in the affirmative.

A bill, “for dividing the county of Kentucky into three distinct counties,” was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A memorial of Smyth Tandy, was presented to the House, and read; setting forth, that he was entrusted with, and took charge of a considerable sum of money, lent by individuals of the county of Augusta to the public, upon the Governor’s address; that upon paying the money into the treasury, he discovered a loss of 4,375*l*. 8*s*., part thereof, which he can in no wise account for; and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine into the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill “for giving permanent salaries to the Judges of the Superior Courts;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The Speaker laid before the House a letter from the Governor, enclosing several others from the President of Congress, with sundry acts and resolutions of that body, which were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

Mr. William Watkins reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined several others, and found them to be truly enrolled.

*Ordered*, That Mr. William Watkins do carry the bills to the Senate for their inspection.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and made a further progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

The Speaker laid before the House a letter from the Governor, enclosing the depositions taken in the case of Mons. Peter de la Croix, agreeable to a resolution of the last General Assembly; which were read, and ordered to be referred to the committee of Trade.

A bill, “to amend the act, for reviving several public warehouses for the inspection of tobacco,” was read the second time, and ordered to be committed to Messrs. Fleming Wray, William Watkins, Southall, Wilkinson and Chapman.

A petition of sundry officers, whose names are thereunto subscribed, in behalf of themselves and the soldiers raised to guard the Convention troops, was presented to the House, and read; setting forth, that they have not been equally supplied with clothing and other necessities, allowed to the other part of the army, by the General Assembly;

that they have received no bounty in lands, and a very insufficient one in money; and praying that a more adequate provision may be made for them.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have examined several enrolled bills, and found them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

The Speaker signed the following enrolled bills:

An act, "to empower the sheriff of Henrico to summon a grand jury, and for explaining the several acts of Assembly, respecting the wages of the members of the General Assembly."

An act, "for regulating the fees of the register of the land office, and for other purposes."

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the land office;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fleming reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

Mr. Mayo reported, from the committee to whom the bill "to empower the high sheriffs to proceed in a summary way against their deputies" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and ordered to be re-committed to the same committee.

*Resolved*, That a committee be appointed to examine the records and papers in the land office, and to make a list or schedule of all the warrants which have been granted for military service, distinguishing the number and date of each warrant, the quantity of land therein mentioned, to whom, and in virtue of what commission or rank, respectively granted; and that they make report thereof to the House.

And a committee was appointed, of Messrs. McDowell, Zachariah Johnson, Todd, Zane, and Stephen Trigg.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the more equal distribution of intestates estates," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, June 13, 1780.

An engrossed bill, "for giving permanent salaries to the Judges of the Superior Courts," was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for giving permanent salaries to the Judges of the Superior Courts."

*Ordered*, That Mr. Braxton do carry the bill to the Senate, and desire their concurrence.

Mr. Fleming reported, according to order, the amendments made by the committee of the whole House to the bill, "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the land office;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where they were again read, amended, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A petition of the inspectors of tobacco at Byrd's and Shockoe warehouses, was presented to the House, and read; setting forth, that no provision being made by law for discharging them of their trust, in case of being called out to oppose the common enemy, they remain liable for any loss or damage therein, during their absence; that they are also obliged to attend every day at the warehouses, which subjects them to a penalty for non-attendance at petty musters; and praying relief.

*Ordered*, That the said petition be referred to the committee to whom the bill, "to amend the act, for reviving several public warehouses for the inspection of tobacco" was committed; that they do examine into the matter thereof, and report the same, with their opinion thereupon, to the House.

The Speaker laid before the House a letter from the Governor, enclosing one from Col. Muter, respecting a deficiency of clothing and necessaries due to the officers and soldiers in the service of the State, which were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

Mr. Lawson presented, according to order, a bill, "to embody militia for the defence of this and our sister States;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "to embody militia for the defence of this and our sister States;" was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

Mr. Starke reported, according to order, the amendments made by the committee of the whole House, to the bill "to regulate the election of members of General Assembly;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, and some agreed to.

A motion was made, and the question being put, that the further consideration of the said amendments be postponed until the third Tuesday in October next,

It was resolved in the affirmative.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the more equal distribution of intestates estates," being read,

*Ordered*, That the same be put off till Friday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, June 14, 1780.

*Ordered*, That Mr. Lankford, have leave to be absent from the service of this House, until Saturday se'night; Mr. Page, till Monday se'night; Messrs. Taylor of Norfolk, Glenn, Peebles and Thorowgood, for the remainder of the session.

Two other members, having taken the oaths required by law, took their seats in the House.

An engrossed bill, "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the Land Office;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act, for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the Land Office, and for other purposes."

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

Mr. Starke presented, from the committee of Propositions and Grievances, according to order, a bill "for establishing the town of \_\_\_\_\_ at the falls of Ohio;" and the same was received and read the first time, and ordered to be read a second time.

The Speaker laid before the House a letter from the Governor, enclosing two others from John Todd, jun. Esq. respecting the situation of the county of Illinois, which were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

*Ordered*, That the resolution from the committee of Courts of Justice, which lay on the table, for reviving the the act "for establishing the county of Illinois;" be referred to the committee of the whole House on the state of the Commonwealth.

Mr. Lawson reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the memorial of sundry inhabitants of the county of Prince William, to them referred, praying an inquiry into the conduct of Meriwether Smith, Esq. for sitting and voting in Congress contrary to an act, "restricting the delegates of this State in Congress from engaging in any trade, either foreign or domestic;" and suggesting the impropriety of the proceedings of the last General Assembly, respecting the conduct of the said Meriwether Smith, Esq.; and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, that Mr. Smith's continuation in Congress without taking the oath prescribed by law was warmly and uniformly advised by his colleagues was during the greater part of the time necessary to make a representation of the State, and during the remainder of the time productive of advantage thereto, not only in discussing several very important questions, in which this State was peculiarly interested, but also in introducing the new members to the business of Congress: and that, this accomplished, he immediately gave up his seat.

It appears also, that Mr. Smith voluntarily stated these circumstances to the last Assembly, without any material deviation from what appears to this committee, who unanimously approved of his conduct.

*Resolved*, that it is unanimously the opinion of this committee, That the vote of the last General Assembly was given on just grounds, and ought to be considered as conclusive.

*Resolved*, that it is unanimously the opinion of this committee, That the prayer of the said memorial is unreasonable, and ought to be rejected.

Mr. Starke presented, according to order, a bill "to repeal the act establishing a board of war," and one other act, "establishing a board of Trade, and appointing a commissioner of the navy, a commissary of military stores, and a commercial agent;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "for establishing the town of \_\_\_\_\_ at the falls of Ohio," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

*Ordered*, That the committee of Propositions and Grievances, to whom the said bill is committed, do receive a clause or clauses, for establishing a town at the courthouse of Rockingham county.



*Ordered*, That leave be given to bring in a bill "for giving permanent salaries to the Governor and Council, and other officers of State;" and that Messrs. Starke, Fleming, Braxton, Taylor of Caroline, and Strother, do prepare and bring in the same.

A bill, "to repeal the act establishing a Board of War," and one other act, "establishing a Board of Trade, and appointing a commissioner of the navy, a commissary of military stores, and a commercial agent;" was read the second time, and ordered to be committed to a committee of the whole House, on Friday next.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the sum of one thousand pounds be advanced and paid to Mr. Edmund Pendleton, jun. clerk to the committees of Privileges and Elections and Propositions and Grievances, for his services the present session.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Braxton do carry the resolution to the Senate, and desire their concurrence.

Mr. Fleming presented, from the committee of Courts of Justice, according to order, a bill "to revive an act, entitled 'an act for the inspection of pork, beef, flour, tar, pitch, and turpentine;'" and the same was received and read the first time, and ordered to be read a second time.

Mr. Fleming presented, from the committee of Courts of Justice, according to order, a bill "for further continuing an act, entitled 'an act to empower the Governor and Council to lay an embargo for a limited time;'" and the same was received and read the first time, and ordered to be read a second time.

A bill, "to revive an act, entitled 'an act for the inspection of pork, beef, flour, tar, pitch and turpentine;'" was read the second time, and ordered to be committed to the committee of Courts of Justice.

A bill, "for further continuing an act, entitled 'an act for appointing naval officers, and ascertaining their fees;'" was read the second time, and ordered to be committed to the committee of Courts of Justice.

A bill, "for further continuing an act, entitled 'an act to empower the Governor and Council to lay an embargo for a limited time,'" was read the second time, and ordered to be committed to the committee for Courts of Justice.

*Ordered*, That leave be given to bring in a bill "to give further time to delinquent counties to pay their specific tax;" and that Messrs. Zane, Richard Henry Lee, Holmes, and Landon Carter, do prepare and bring in the same.

*Ordered*, That the same committee do receive a clause or clauses, providing a proper allowance between crop and transfer tobacco, to be paid in discharge of the specific tax.

Mr. Mayo reported, from the committee to whom the bill "to empower the high sheriffs to proceed in a summary way against their deputies," was committed, that the committee had, according to order, again had the said bill under their consideration, and gone through the same and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the memorial of Smyth Tandy, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, and is as followeth:

*Resolved*, that it is the opinion of this committee, That the memorial of Smyth Tandy, praying such relief as to the wisdom of this House may seem just, for a certain sum of money by him lost, put into his hands for the use of the Commonwealth, ought to be rejected.

And the said resolution being read a second time, was ordered to be recommitted to the same committee.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to Mr. Edmund Pendleton, jun. They have also agreed to the bill "for locating the public squares, and to enlarge the town of Richmond," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and on the bill "to embody militia for the defence of this and our sister States," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, June 15, 1780.

The Speaker laid before the House a letter from Colonel William Davis, respecting the rank of the officers of the two State regiments in continental service; which was read, and ordered to be referred to Messrs. Starke, Innes, Lawson, Lyne, and Taylor of Caroline.

*Ordered*, That Messrs. Innes, Taylor of Caroline, Taliaferro and Randolph, be added to the committee appointed to prepare and bring in a bill "for recruiting the quota of this State in the continental army."

Mr. Richard Henry Lee reported, from the committee appointed to prepare a plan of defence of the eastern frontier, that the committee had, according to order, had the same under consideration, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to, as followeth:

*Resolved*, That in order to afford a reasonable protection to the eastern frontiers of this Commonwealth, it will be necessary to provide both a land and marine force.

*Resolved*, That a thousand men be presently embodied for the defence of Portsmouth, Norfolk, the Great Bridge, Cooper's mill, and Hall's; and that these men be so stationed as shall appear to their commander most conducive to the protection and security of the places abovementioned, and the adjacent country.

*Resolved*, That a magazine of arms, to consist of 400 stand, with ammunition, be fixed at Northwest river bridge, under the protection of a proper guard.

*Resolved*, That one-third of the militia of Princess Anne and Norfolk counties, be provided immediately with arms and ammunition from the public stores; and that the Lieutenants of those counties deliver the arms and ammunition to such men only, of their militia, whose attachment to their country is not doubted.

*Resolved*, That the Henry, galley, be immediately repaired, manned, and made ready for the service of defending Hampton, Hampton Road, and the adjacent waters.

*Resolved*, That the ships Thetis, Tempest and Dragon, and the brig Jefferson, be immediately repaired, manned, and made ready for the defence of the bay and sea coasts of this Commonwealth.

*Resolved*, That a body of 500 marines be raised, to be commanded by two field officers, five captains and twenty lieutenants, to be employed as occasion shall require, either in garrison, or to act by detachment, on board the ships or galleys of the State.

*Resolved*, That there be a reform in the navy officers, retaining in the service as many as shall be necessary to command the armed vessels belonging to the Commonwealth, of such as are most able and best qualified for the navy service; and that, for the purpose of making this reform, a board shall be constituted by the Governor, with advice of Council, to consist of the commissioner of the navy, and six navy captains, the most approved for their ability, which six captains shall, previous to their appointment to this board, be fixed in their command in the navy, by the Governor, with the advice of Council.

*Resolved*, That all commissioned officers, the master, surgeon and surgeon's mate, in the service of the navy, be entitled to half pay during life, under the same restrictions and limitations as are included in the act of Assembly "concerning officers, soldiers, sailors and marines."

*Resolved*, That so much of the act of Assembly, as fixes the galleys Accomac and Diligence to a certain station, be repealed; and that the Governor, with the advice of Council, be at liberty to employ the said galleys in such manner as in their judgment shall be most conducive to the general good.

*Resolved*, That a few cannon be fixed on travelling carriages, and made presently ready, to be used at such places, for the defence of Elizabeth river and its dependencies, as the commander of the forces in that quarter shall direct.

*Resolved*, That six boats of light construction, drawing little water and fit for the transportation of troops across the several waters of Princess Anne and Norfolk, be prepared.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions; and that the committee who reported the said plan of defence, do prepare and bring in the same.

An engrossed bill "to empower the high sheriffs to proceed in a summary way against their deputies," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act to empower the high sheriffs to proceed in a summary way against their deputies, and for other purposes."

*Ordered*, That Mr. Mayo of Chesterfield, do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to embody militia for the defence of this and our sister States;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braxton reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report, when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

A message from the Senate by Mr. Mathews:

MR. SPEAKER,—The Senate have agreed to the resolution respecting the horses belonging to the Convention troops, with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The Speaker laid before the House a letter from the Governor, respecting the removal of the Convention troops in case of danger, and enclosing one from Col. Wood on the same subject; which were read and ordered to lie on the table.

*Ordered*, That Mr. Goodall have leave to be absent from the service of this House, for the remainder of the session.

*Ordered*, That leave be given to bring in a bill "to amend the act for establishing a loan office for the purpose of borrowing money for the use of the United States, and appointing a commissioner to superintend the same;" and that Mr. Starke do prepare and bring in the same.

*Resolved*, That this House will, on Wednesday next, proceed by joint ballot with the Senate, to the choice of five delegates to represent this Commonwealth in Congress for one year, from the first Monday in November next.

*Ordered*, That Mr. Zane do acquaint the Senate therewith.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### FRIDAY, June 16, 1780.

*Ordered*, That Mr. Napier, have leave to be absent from the service of this House, until Tuesday next.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the Governor and Council be requested to take such measures for preventing a rescue of the Saratoga troops as they shall judge most eligible, without regard to the particular mode pointed out in a resolution entered into by the General Assembly on that subject, the ninth day of this instant, (June.)

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

Mr. Fleming reported, from the committee to whom the bill "to amend the act for reviving several public warehouses for the inspection of tobacco" was committed, that the committee had, according to order, had the said bill under their consideration and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Braxton reported, from the committee of the whole House, the amendments made to the bill "to embody militia for the defence of this and our sister States;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same being again twice read, some were agreed to and others disagreed to.

*Ordered*, That the further consideration of the said amendments, be put off till to-morrow.

A message from the Senate, by Mr. Mathews:

MR. SPEAKER,—The Senate have agreed to the resolution to empower the Governor and Council to take such measures for preventing a rescue of the Convention troops as they shall judge most eligible. And then he withdrew.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, the memorial of the officers of the regiment of guards to the Convention troops, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, That the officers of the said regiment, and such of the soldiers as shall or may engage to serve for three years, or during the war, from the time of their entering into the service, ought to be allowed all the bounties in land, provisions and emoluments, given to, or provided for, the other continental quota of this State, and that it be recommended to the executive to see this resolution complied with.

*Ordered*, That the said resolution do lie on the table.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, the memorial of Walter King Cole, to them referred, and had agreed to a report and resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, that the said Walter King Cole, before and since the commencement of the present war, received repeated assurances from Walter King, Esq. his reputed father, that he intended to make a handsome provision for him out of his estate in Virginia; that during his minority the said Walter King, was at the expense of educating and maintaining him; that Benjamin Waller, Esq. who was the said Walter King's former agent, received a letter from him, directing a conveyance of his Leatherwood lands, to the said Walter King Cole, before the commencement of this war, which hath been since repeated; but by some means or other, the conveyance was never made; that the said Walter King Cole, early in the present contest, entered into our army, and continued therein, until the spring of the year 1779; when, apprehending the Assembly would pass an act to confiscate British property, whereby he should be deprived of what his father intended him, he left this Commonwealth, in order to visit the said Walter King, and to obtain from him a conveyance for that part of his Virginia estate, which he had repeatedly promised him; on his voyage thither, he was captured by the enemy, which retarded his arrival in Great Britain until the fall of the year 1779; that after his arrival, to wit, the 1st day of December 1779, the said Walter King executed a deed to him, whereby he conveyed all his lands in the county of Henry, called the Leatherwood and Wartmountain lands; also 1900 acres of land in the county of Amherst, together with all the stocks, negroes, and plantation utensils thereon; that immediately after the said Walter Cole had obtained the deed aforesaid, he left Great Britain, and on the 1st of May last, arrived in this Commonwealth; that previous to his arrival, the lands, negroes and other estates conveyed to him in the county of Amherst, had been sold, under the act of Assembly, "concerning escheats and forfeitures from British subjects;" and that the lands in the county of Henry, had been escheated, but not sold; and



since his arrival here, the lands near the Wartmountain, had been prevented from being sold, by an injunction; and that the sale of the Leatherwood lands, had also been stopt by injunction.

Whereupon, the committee came to the following resolution:

*Resolved*, That the memorial of the said Walter King Cole, praying to have restored to him the estate conveyed him as aforesaid, is reasonable.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution; and that the committee of Propositions and Grievances do prepare and bring in the same.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the Governor and Council be empowered to dispose of the tobacco furnished by loan, agreeable to the resolutions of the first instant, in such manner, as they shall judge will best answer the design of the legislature;

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Braxton do carry the resolution to the Senate, and desire their concurrence.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, to whom the bill, "for dividing the county of Kentucky into three distinct counties" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, to whom the bill "for establishing the town of \_\_\_\_\_ at the falls of Ohio" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The Speaker laid before the House, a letter from the Governor, enclosing several letters and papers from a committee of Congress, on the present state of the army.

*Ordered*, That the said letters and papers do lie on the table.

A petition of Matthias Selser, was presented to the House, and read; setting forth, that while a soldier in the service of the State, he was taken with a mortification, in the cure of which he has expended 623l.; that he has received no wages, clothing, or rations, since May 1778; and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House proceeded to consider the amendments of the Senate, to the resolution for obliging the officers and soldiers of the convention troops, to dispose of their horses; and the same being read, were agreed to.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "for procuring a supply of provisions and other necessities for the use of the army," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

A petition of Stephen Pankie, jun. was presented to the House, and read; setting forth, that some time in the year 1779, a wagon and team, belonging to the petitioner, was impressed into the public service, and one of the horses lost thereout, for which the auditors have refused to pay him; and praying relief.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

Mr. Starke presented, according to order, a bill "to amend the act for establishing a loan office for the purpose of borrowing money for the use of the United States, and appointing a commissioner for superintending the same;" and the same was received and read the first time, and ordered to be read a second time.

The order of the day, for the House to resolve itself into a committee of the whole House on the bill "for the more equal distribution of intestates estates," being read,

*Ordered*, That the same be put off till Monday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bill "to repeal the act establishing a Board of War;" and one other act "establishing a Board of Trade; and appointing a commissioner of the Navy; a commissary of military stores; and a commercial agent," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, June 17, 1780.

*Ordered*, That Messrs. Peachey and Holmes, have leave to be absent from the service of this House for the remainder of the session.

An engrossed bill, "to amend the act for reviving several public warehouses for the inspection of tobacco;" was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act to amend the several acts of Assembly, respecting the inspection of tobacco."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

The House, according to order, resumed the consideration of the amendments made by the committee of the whole House to the bill "to embody militia for the defence of this and our sister States;" and the same being read, were amended, and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution to empower the Governor and Council to dispose of the tobacco furnished on loan. And then he withdrew.

The House proceeded to consider the amendments of the Senate, to the bill "for procuring a supply of provisions and other necessities, for the use of the army;" and the same being read, some were agreed to, others amended and agreed to, and others disagreed to.

*Ordered*, That Mr. Tazewell do acquaint the Senate therewith.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the land office, and for other purposes," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "for giving permanent salaries to the Judges of the Superior Courts," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The letters and papers from the committee of Congress on the state of the army, enclosed in the Governor's letter of yesterday, which lay on the table, were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

*Ordered*, That Messrs. Taliaferro and Todd, be added to the committee to whom the letter from Col. Davies, respecting the rank of the officers of the State regiments was referred.

A petition of John Thorp was presented to the House, and read; setting forth, that he enlisted as a soldier, in the month of March, 1779, for the term of eighteen months, and while in service to the southward, in the month of October last, received a wound in the foot, which has rendered him incapable of getting a livelihood; and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bill, "to repeal the act 'establishing a Board of War;' and one other act, "establishing a Board of Trade, and appointing a commissioner of the navy, a commissary of military stores, and a commercial agent," being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, June 19, 1780.

Another member, having taken the oaths required by law, took his seat in the House.

The Speaker laid before the House a letter from Cyrus Griffin, Esq. one of the delegates of this Commonwealth in Congress, respecting the operations of the enemy in the Jerseys; which was read, and ordered to lie on the table.

The Speaker laid before the House a letter from Col. Buford, respecting the defeat of his battalion by the enemy, in South Carolina; which was read, and ordered to lie on the table.

The House proceeded to consider the amendments of the Senate to the bill, "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the Land Office, and for other purposes;" and the same being read, were amended and agreed to.

*Ordered*, That Mr. Tazewell do acquaint the Senate therewith.

The Speaker laid before House a letter from the Governor, enclosing a letter from the committee of co-operation appointed by Congress, calling for specific aids of men, provisions, forage, &c.; which were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved, That* thousand men be raised, for supplying the deficiency of this Commonwealth's quota of continental troops; and that for the purpose of obtaining the said number of men, the militia of this Commonwealth shall be divided into parts, each of which divisions shall furnish one able bodied man, by voluntary enlistment, or by indiscriminate draft, to serve in the army of the United States until the first day of December, 1781.

*Resolved, That* the militia of each county shall be assembled in twenty days from the receipt of the act (to be formed on these resolves) by the commanding officer of the militia; and such of the divisions in every county as shall then fail to deliver to the commanding officer an able bodied man to serve as aforesaid, shall be indiscriminately drafted for that purpose.

*Ordered, That* a bill or bills, be brought in pursuant to the said resolutions; and that Messrs. Lawson, Stevens, Francis Peyton, Hoomes, Hunter, Peachey, Todd, Zane, and Zachariah Johnson, do prepare and bring in the same.

*Resolved, That* this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have receded from some, and insisted on others of their amendments, to the bill “for procuring a supply of provisions and other necessities for the use of the army;” they have also agreed to the amendments of their other amendments to the same bill. And then he withdrew.

*Ordered, That* Mr. Terry have leave to be absent from the service of this House for the remainder of the session.

A memorial of the directors of the public buildings in the town of Richmond, was presented to the House, and read; setting forth, that the jury of inquest, who found an office against certain lots in the said town, which were taken for the public use by the said directors, having omitted to value the same agreeable to the law of escheat and forfeiture, the escheator has proceeded to advertise and fix a day of sale for the said lots; and praying the interposition of the legislature to prevent the said sale.

A motion was made, and the question being put that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved, That* the petition be rejected.

The House proceeded to consider the amendments insisted on by the Senate, to the bill, “for procuring a supply of provisions and other necessities for the use of the army;” and the same being read, the House receded from their disagreement to some, and insisted on their disagreement to other of the said amendments.

*Ordered, That* Mr. Starke do acquaint the Senate therewith.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, the depositions and papers to them referred, relative to three suits instituted in the court of Accomac, by three mariners, against Capt. Le Croix; and had agreed on a report and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, that each of the said mariners brought suit against the said Capt. Le Croix for their wages; that the court would not suffer the articles of agreement entered into between him and the said mariners at the time of shipping them, nor a French book, which was introduced to show the marine law of France, to be read in court; but proceeded to trial, and sent the jury out upon a partial hearing, who brought in verdicts in favor of the mariners: upon which executions have issued against the said captain, who was taken in custody and confined in jail.

It also appears to your committee, from the deposition of James Taylor, an attorney at law in that court, that notwithstanding he was not employed by the said captain, he and Mr. Jabez Pitt, who is also an attorney at law in the said court, used many arguments to point out the illegality of the court's proceedings.

It also appears to your committee, that James Henry and George Corbin, likewise attorneys in said court, gave it as their opinion, that the court had a right to proceed.

Whereupon, your committee came to the following resolutions:

*Resolved, that it is the opinion of this committee, That* the proceedings of the court of Accomac appear to them illegal, and contributed much to the loss of Capt. Le Croix's vessel, and tended to destroy that harmony which ought to be encouraged between the subjects of this State and those of our great and good ally.

*Resolved, that it is the opinion of this committee, That* the Governor and Council be desired to direct the attorney for this Commonwealth to proceed as they shall judge proper against the justices of the said court.

The first resolution was read a second time, and on the question put thereupon, disagreed to by the House.

The second resolution was read a second time, and on the question put thereupon, ordered to be recommitted to the same committee.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill “for the more equal distribution of intestates estates;” and on the bill “to repeal the act ‘establishing a Board of War;’”



and one other act, "establishing a Board of Trade, and appointing a commissioner of the Navy, a commissary of military stores, and a commercial agent," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, June 20, 1780.

An engrossed bill, "for dividing the county of Kentucky into three distinct counties," was read the third time and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act, for dividing the county of Kentucky into three distinct counties."

*Ordered*, That Mr. Todd do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for establishing the town of Louisville at the falls of Ohio;" was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act, for establishing the town of Louisville at the falls of Ohio, and one other town in the county of Rockingham."

*Ordered*, That Mr. Todd do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate desire a present free conference with the House of Delegates, on the subject matter of the amendments to the bill, "for procuring a supply of provisions and other necessities for the use of the army;" to their disagreement to which, the House of Delegates hath insisted; and have appointed conferees on their part, who are attending in the conference chamber.

They have also agreed to the amendment to the bill, "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the Land Office." And then he withdrew.

*Resolved*, That this House doth agree to the free conference desired by the Senate; and that Messrs. Starke, Richard Henry Lee, and Fleming, do manage the same.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

*Ordered*, That Messrs. Carrington, Starke, Mosby, Pride and William Ball, be added to the committee of Courts of Justice.

The House proceeded to consider the amendments of the Senate, to the bill, "for giving permanent salaries to the Judges of the Superior Courts;" and the same being read, were agreed to.

*Ordered*, That Mr. Tazewell do acquaint the Senate therewith.

The House proceeded to consider the amendments of the Senate, to the bill, "for locating the public squares, and to enlarge the town of Richmond;" and the same being read, were agreed to.

*Ordered*, That Mr. Southall do acquaint the Senate therewith.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate agree to proceed, to-morrow, by joint ballot with this House, to the choice of five delegates to represent this Commonwealth in Congress, for one year from the first Monday in November next. And then he withdrew.

A petition of Henry Duckwall, was presented to the House, and read; setting forth, that while a soldier in the continental army, a deficiency of clothing became due to him, for which he received a certificate from the then commanding officer of his regiment, who not being a field officer, the executive have determined it improper to pay such deficiency, to the great injury of the petitioner; and praying relief.

Also, a petition of George Combs, to the same effect.

Also, a petition of Clement Sullivan, to the same effect.

Also, a petition of John Moore, to the same effect.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Dixon, was presented to the House, and read; setting forth, that an estate belonging to the petitioner in the county of Culpeper, and of which he had been several years in possession, has been escheated by the escheator of that county; that he made application to the General Court for redress, but the term of thirty days for filing a traverse under the escheat law being elapsed, the court could not relieve him; that he also made application to the Court of Chancery, who considered his claim as legal, and without their jurisdiction, from all which he remains without redress; and praying relief.

*Ordered*, That the said petition be referred to the committee of Courts of Justice; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Zane presented, according to order, a bill "to give further time to delinquent counties to pay their specific tax;" and the same was received, and read the first time, and ordered to be read a second time.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the escheator of Henrico county, be directed to suspend the sale of the lots and tenements in the town of Richmond, late the property of French & Crawford, Robert Baine, Ninian Minzies, and Andrew Chalmer, British subjects, which are escheated to the Commonwealth, and have been appropriated by the directors under the act "for the removal of the seat of government," to public use, until the further order of the General Assembly.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Alexander Stewart, praying a further allowance in addition to that made him at a former Assembly, in consideration of a wound which he received in the year 1774, in an expedition against the Shawanese, while a soldier in Capt. George Moffat's company, is reasonable; and that the petitioner ought to be allowed the sum of 200*l*. for his present relief.

*Resolved*, that it is the opinion of this committee, That the petition of John Thorp, praying that an allowance may be made him for his support, in consideration of a wound which he received at the Savannah, while a soldier in the continental service, is reasonable; and that the petitioner ought to be allowed the sum of 300*l*. for his present relief.

*Resolved*, that it is the opinion of this committee, That the consideration of Rees Thomas's petition; praying to be paid for a wagon and gear for four horses, which was impressed by a certain Lieut. Booker, an officer in the continental service, be referred to the next session of Assembly.

*Ordered*, That Mr. Richard Lee do carry the first and second resolution to the Senate, and desire their concurrence.

Mr. Tyler reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration the case of Mr. William Bibb, to them recommitted, and had agreed to a report and resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, that Mr. William Bibb, a delegate for the county of Prince Edward, did at the last session of Assembly draw an excess of nine days wages; that Mr. Bibb was informed by several members of the Assembly, in frequent conversations before, and once after he had drawn his wages, that it was contrary to law to include in his account for attendance days on which he was absent from the service of the House: but at the same time was told by one member he believed it had heretofore been done by some, though he conceived it to be illegal.

It appears also to your committee, that there hath been different opinions among members of the Assembly, with respect to the legality of drawing wages for absent days, and that it has been heretofore practised by some of them.

And it further appears to your committee, that Mr. Flournoy, the colleague of the said Mr. Bibb, on being told the latter had drawn more wages than he was entitled to, did refund the amount thereof; and that Mr. Bibb himself did refund one day's wages, which he conceived he had drawn improperly, before this subject was taken up by the Assembly.

Whereupon, your committee came to the following resolutions:

*Resolved*, as the opinion of this committee, That the said Mr. William Bibb, in drawing the aforesaid nine days wages, acted more from error than a design of defrauding the public.

*Resolved*, as the opinion of this committee, That the practice of drawing wages for days on which members are absent from the Assembly, is contrary to law, and ought not to be used.

The said resolution being read a second time, was ordered to lie on the table.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the petition of Matthias Selser to them referred, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, that the said Matthias Selser enlisted as a soldier in the continental service, under the command of Capt. John Gillison; that during his continuance in that service one of his knees mortified; and that the expenses which he incurred in curing the same amounted to 623*l*.

It further appears to your committee, that the said Matthias Selser has received neither pay, rations, or clothing, from the 6th of May, 1778, to the 26th of March, 1780.

Whereupon, your committee came the following resolutions:

*Resolved*, that it is the opinion of this committee, That the petition of the said Matthias Selser, praying to be reimbursed by the public the said sum of 623*l*. is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of the said Matthias Selser, praying that an allowance may be made him, in lieu of his deficiency of pay, rations and clothing, from the said 6th day of May, 1778, to the 27th of March, 1780, is reasonable; and that the auditors of public accounts do make the said allowance, charging the same to the continent in account with this Commonwealth.

*Ordered*, That Mr. Richard Lee do carry the resolutions to the Senate, and desire their concurrence.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the petition of Smyth Tandy, to them recommitted; and had agreed upon a report, and come to a



resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, that agreeable to the Governor's address to the people, a considerable sum of money was collected in the county of Augusta, and by order of Sampson Mathews lodged in the hands of Mr. Alexander Sinclair, to be by him transmitted to the treasurer.

It also appears to your committee, that the said Alexander Sinclair, desirous of supplying the public demands, was induced to entrust the said sum of money to the care of the said Smyth Tandy, with a letter enclosing a list of the money so sent, to the treasurer.

That, on the arrival of the said Smyth Tandy at this place, he waited on the Governor and Council with the same, who referred him to the treasurer. That he accordingly attended at the treasury with the said money and letter; and in examining the same with the list sent, eight bundles thereof were found to be missing, amounting to 4,375l. 8s.

It further appears to your committee, that the said Smyth Tandy, in order to find out the mistake, if possible, returned home for that purpose, and in examining some papers in his desk he found only one small bundle, amounting to a very inconsiderable sum.

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the petition of the said Smyth Tandy, praying, that he may not sustain the loss of the said sum of 4,375l. 8s., be rejected.

And the said resolution being read a second time, was ordered to lie on the table.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of a delegate to represent this Commonwealth in Congress, until the first Monday in November next, in the room of Cyrus Griffin, Esq. who hath resigned.

*Ordered*, That Mr. Richard Henry Lee do acquaint the Senate therewith.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have receded from their amendments to the bill, "for procuring a supply of provisions and other necessities for the use of the army," to their disagreement to which, this House hath insisted. And then he withdrew.

A message from the Senate by Mr. Mathews:

MR. SPEAKER,—The Senate have agreed to the resolution for suspending the sale of certain escheated lots and tenements, in the town of Richmond. And then he withdrew.

A motion was made, that the House do come to the following resolution:

*Resolved*, That all certificates given for the value of wagons or horses, impressed by virtue of a resolution of the General Assembly, entered into the 20th day of last month, for the purpose of facilitating the march of the Maryland troops to South Carolina, shall, if the holder require it, be received by the collectors in payment of money taxes; or may, at the option of the holder, be either exchanged for loan office certificates, or discharged with money at the treasury in six months from the date thereof, with an interest of six per centum per annum, always allowing in the latter case for the difference of value between the time of payment and the impressment: which difference shall be previously settled by the board of Auditors, according to the prices of tobacco, at those two periods.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to proceed to-morrow, by joint ballot with this House, to the choice of a delegate to represent this Commonwealth in Congress, until the first Monday in November next, in the room of Cyrus Griffin, Esq. who hath resigned. And then he withdrew.

The House proceeded to nominate persons proper to be ballotted for as a delegate to represent this Commonwealth in Congress, until the first Monday in November next, in the room of Cyrus Griffin, Esq.; and also for five delegates to represent this Commonwealth in Congress for one year, from the first Monday in November next.

*Ordered*, That Mr. McDowell do carry lists of the persons so nominated, to the Senate.

Mr. Starke reported, from the committee to whom a letter from the President of Congress of the 11th of May, 1780, enclosing a resolution of Congress, and a letter from Col. Le Gras of Illinois, and other papers were referred, that the committee had according to order, had the same under their consideration, and agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to this committee, that the inhabitants of St. Vincent received treasury bills before the month of July 1779, amounting to 16,606 dollars, of which 7,410 dollars were of the emissions dated the 20th May, 1777, and 11th of April, 1778. That upon application to the commandant of the county, he received the said bills, and gave the owners thereof eight several draughts upon the Governor of Virginia; nearly all of which have been presented and paid, with ample allowance for the depreciation from the time of drawing, until paid. That upon the arrival of the Illinois regiment about the same time, the inhabitants were again overrun with money, but chiefly of the called in emissions, with which the officers and soldiers had been just before paid off. That such emissions were then supposed to be called in, and that the commandant notified them that they should not be obliged to receive such emissions. That several of the officers and others, so early as that time, had such emissions sealed up and certified; and that by future



orders, the whole of such emissions were required to be presented and sealed, supposed to amount in the whole to 30,000 dollars. That the bills mentioned in said referred letters, were all of such called in emissions.

*Resolved*, that it is the opinion of this committee, That the called in emissions of continental money, sealed up by the county or district commandants in Illinois, and certified, ought to be exchanged for other emissions.

*Resolved*, That from the time they were so sealed up, until the time of exchanging the same, the owners be allowed an equivalent for the depreciation, to be settled by the Governor and Council; provided application be made for such exchange within twelve months from the date hereof.

The first resolution was read a second time, and agreed to by the House.

The second resolution was read a second time, and disagreed to by the House.

*Ordered*, That Mr. Starke do carry the first resolution to the Senate, and desire their concurrence.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petition of sundry inhabitants of the county of Northumberland, to them referred, and had agreed to a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House, as followeth:

It appears to your committee, that there were burnt in North and South Wicomico warehouses, 58 hogsheads of tobacco, inspected prior to the 5th day of October, 1778, on which day, a session of the General Assembly commenced. That there were burnt in the said warehouses, 8 hogsheads, amounting to 7,664 nett pounds of tobacco, inspected between the said 5th day of October, and the 2d day of December following, on which last mentioned day, the act "for reviving several public warehouses for the inspection of tobacco" passed the General Assembly; and that there were burnt 89 hogsheads, amounting to 9,068 pounds of nett, and 8,140 pounds of transferred tobacco, inspected between the said 2d day of December and the 14th day of June, 1779; on which last mentioned day, the said warehouses were destroyed by the enemy.

Whereupon, the committee came to the following resolutions:

*Resolved*, That so much of the petition, as prays that the tobacco inspected subsequent to the 2d day of December, 1778, at which time the law was passed "insuring against fire the tobacco in the public warehouses," may be paid for by the public, be rejected.

*Resolved*, That such other parts of the petition, as prays to be paid for the tobacco inspected prior to the said 2d day of December, ought to be rejected.

A bill, "to amend the act, entitled 'an act, for establishing a loan office, for the purpose of borrowing money for the use of the United States, and appointing a commissioner for superintending the same,'" was read the second time, and ordered to be engrossed and read the third time.

*Ordered*, That Messrs. Richard Henry Lee, Starke, and General Nelson, be added to the committee appointed to prepare and bring in a bill "for recruiting the quota of this State for the continental army."

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bills, "for the more equal distribution of intestates estates," and "to repeal the act, 'establishing a Board of War,'" and one other act, "establishing a Board of Trade, and for appointing a commissioner of the navy, a commissary of military stores, and a commercial agent," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, June 21, 1780.

An engrossed bill, "to amend the act, entitled 'an act, for establishing a loan office, for the purpose of borrowing money for the use of the United States, and appointing a commissioner for superintending the same,'" was read the third time.

*Resolved*, That the bill do pass, and that the title be "an act to amend the act, entitled 'an act, for establishing a loan office, for the purpose of borrowing money, for the use of the United States, and appointing a commissioner for superintending the same.'"

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

Mr. Tyler reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined several others, and found them to be truly enrolled.

*Ordered*, That Mr. Tyler do carry the bills to the Senate for their inspection.

Mr. Fleming reported, from the committee of Courts of Justice, to whom the bill for further continuing "an act, entitled 'an act, for appointing naval officers, and ascertaining their fees'" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Fleming reported, from the committee of Courts of Justice, to whom the bill, "to revive an act, entitled 'an

act, for the inspection of pork, beef, flour, tar, pitch, and turpentine" was committed, that the committee had, accordingly to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Fleming reported, from the committee of Courts of Justice, to whom the bill, "to amend the act, entitled 'an act, to empower the Governor and Council to lay an embargo for a limited time'" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A bill, "to give further time to delinquent counties to pay their specific tax;" was read the second time, and ordered to be engrossed and read the third time.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have examined several enrolled bills, and find them to be truly enrolled, and they are signed by their Speaker. And then he withdrew.

The Speaker signed the following enrolled bills:

An act, "for procuring a supply of provisions and other necessities, for the use of the army."

An act, "for giving further time to obtain warrants upon certificates for pre-emption rights, and returning certain surveys to the land office, and for other purposes."

*Ordered*, That the public printers be directed to strike forthwith, two hundred copies of the act, "for procuring a supply of provisions and other necessities, for the use of the army."

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have added several persons to the nomination for delegates, to represent this Commonwealth in Congress, one year from the first Monday in November next; and he delivered in a list of them. And then he withdrew.

The House proceeded, according to the order of the day, by joint ballot with the Senate, to the choice of a delegate to represent this Commonwealth in Congress, until the first Monday in November next, in the room of Cyrus Griffin, Esq. who hath resigned; and the members having prepared tickets, with the name of the person to be appointed, and put the same into the ballot glasses, Messrs. Richard Henry Lee, Fleming and McDowell, were nominated a committee to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and report to the House on whom the majority of votes should fall.

*Ordered*, That Mr. Richard Henry Lee do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House, and reported, that they had accordingly to order, examined the ballot glasses, with a committee from the Senate, and found a majority of votes in favor of Theoderick Bland, jun. Esq.

The House proceeded, in the same manner, to the choice of five delegates to represent this Commonwealth in Congress, for one year from the first Monday in November next; and it appears from the report of Messrs. Tyler, Lyne, McDowell, Edmondson, Strother, and Taylor of Caroline, the committee appointed to examine the ballot glasses, that the majority was in favor of Joseph Jones, James Madison, jun. Theoderick Bland, jun. James Henry, and Meriwether Smith, Esquires;

*Resolved*, That Theoderick Bland, jun. Esq. be appointed a delegate, to represent this Commonwealth in Congress, until the first Monday in November next, in the room of Cyrus Griffin, Esq. who hath resigned; also, that Joseph Jones, James Madison, jun. Theoderick Bland, jun. James Henry, and Meriwether Smith, Esquires, be appointed delegates to represent this Commonwealth in Congress, for one year from the first Monday in November next; they having been respectively so elected by joint ballot of both Houses of Assembly.

*Ordered*, That Mr. Tyler do carry the resolution to the Senate, and desire their concurrence.

A petition of Fortunatus Crutchfield, was presented to the House, and read; setting forth, that he has fallen into one of the divisions of militia, which are ordered by act of Assembly to the relief of South Carolina; that he is engaged as a purchasing commissary for the public: the business of which must suffer, to the injury of the public as well as himself, in case he shall be obliged to march; and praying to be exempted from military duty, so long as he continues a commissary.

A motion was made, and the question being put that the said petition be referred to the consideration of a committee, It passed in the negative.

*Resolved*, That the petition be rejected.

*Ordered*, That Mr. William Campbell, have leave to be absent from the service of this House for the remainder of the session.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bill "to repeal the act, establishing a Board of War;" and one other act, "establishing a Board of Trade; and appointing a commissioner of the navy; a commissary of military stores; and a commercial agent," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House on the bill, "for the more equal distribution of intestates estates," being read,

*Ordered*, That the same be put off till Friday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, June 22, 1780.

An engrossed bill, "for further continuing an act, entitled 'an act, for appointing naval officers, and ascertaining their fees,'" was read the third time, and a blank therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act for further continuing and amending an act, entitled 'an act, for appointing naval officers, and ascertaining their fees.'"

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to revive an act, entitled 'an act, for the inspection of pork, beef, flour, tar, pitch, and turpentine,'" was read the third time, and a blank therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act to revive and amend an act, entitled 'an act, for the inspection of pork, beef, flour, tar, pitch, and turpentine.'"

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for further continuing an act, entitled 'an act, to empower the Governor and Council to lay an embargo for a limited time,'" was read the third time;

*Resolved*, That the bill do pass, and that the title be, "an act, for further continuing an act, entitled 'an act, to empower the Governor and Council to lay an embargo for a limited time.'"

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to give further time to delinquent counties to pay their specific tax," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act, to give further time to delinquent counties to pay their specific tax, and for other purposes."

*Ordered*, That Mr. Zane do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "to authorise the citizens of North Carolina, South Carolina and Georgia, to remove their slaves into this State;" and that Messrs. Lawson, Starke, Richard Henry Lee, and Tazewell, do prepare and bring in the same.

Mr. Richard Henry Lee presented, according to order, a bill "for incorporating the town of York;" and the same was received and read the first time.

A motion was made, and the question being put, that the said bill be read the second time on the fifteenth day of October next,

It was resolved in the affirmative.

*Ordered*, That the committee of the whole House on the state of the Commonwealth, be discharged from proceeding on so much of the Governor's letter of the 14th instant, as respects the private letter therein enclosed from John Todd, jun. Esq.; and that the same, together with the letter from Mr. Todd, be referred to the committee of Propositions and Grievances.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolution for appointing delegates to represent this Commonwealth in Congress; they have also agreed to the resolutions for paying sums of money to Alexander Stewart and John Thorp. And then he withdrew.

The Speaker laid before the House a letter from the Governor, enclosing a memorial of the officers of the Virginia Line in captivity at New York; also several letters from General Washington and the committee of co-operation; which were read.

*Ordered*, That the said memorial be referred to the committee of Trade.

*Ordered*, That the letters from General Washington and the committee of co-operation, be referred to the committee of the whole House on the state of the Commonwealth.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the resolution in the case of Capt. Peter de la Croix, to them recommitted; and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and amended, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the Governor and Council be desired to inquire into the case of Capt. Peter de la Croix; and if they find he has been injured in any respect by any person or persons within this Commonwealth, that the attorney general be employed at the expense of the State, to commence and prosecute actions, to the end that justice may be done Capt. Peter de la Croix; also, that criminal prosecutions be directed against any person or persons, who may be found to have burnt or plundered the said Peter de la Croix's vessel, or who may in anywise have been accessory therein.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.



The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr Speaker resumed the chair, and Mr. Fleming reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and had agreed to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, and is as followeth:

*Resolved*, That this Commonwealth will concur with a majority of the United States, in adopting and carrying into execution the resolves of Congress of the 18th of March last, as far as the circumstances of the people, and the present situation of public affairs will admit.

The said resolution was read a second time, and the question being put that the House do agree with the committee therein,

It was resolved in the affirmative.

Ayes 52

Noes 34

The names of the members who voted in the affirmative are, Thomas Evans, Nicholas Lewis, Isaac Davis, Everard Meade, Nicholas Cabell, Zachariah Johnson, John Talbot, Adam Stephen, James Wall, Joseph Cabell, John Cabell, John Taylor (of Caroline), John Tyler, John Watkins, William Fleming, Beverley Randolph, William Watkins, George Mason, John Parke Custis, Martin Pickett, Charles Chilton, James Reed, Peter Saunders, James Innes, John Todd, jun. Philip Taliaferro, Landon Carter, William Ball, John Hill Carter, Josias Clapham, Thomas Johnson, James Montague, Armistead Russell, John Price Posey, Henry Guy, John Stratton, Samuel McCulloch, Littleberry Mosby, Robert Lawson, William Bibb, Lynaugh Helm, John Hooe, Samuel McDowell, William Fitzhugh, Allen Cocke, William Brown, Cole Digges, Richard Lee, Richard Henry Lee, Thomas Nelson, jun. Henry Tazewell, and John Hutchings.

The names of the members who voted in the negative are, Thomas Bailey, sen. John Pride, John Cunningham, Moses Hunter, John Wood, Thomas Lowry, Joel Watkins, John Mayo, George Carrington, French Strother, Henry Hill, John Edmondson, Thomas Smith, jun. Archer Matthews, William Chapman, Turner Southall, John Scasbrook Wells, George Lyne, Carter Braxton, Francis Peyton, James Chew, James Neal, Daniel Trigg, Kincher Godwin, Richard Baker, John Gordon, Ebenezer Zane, Zachariah Burnley, Bolling Starke, Williamson Ball, Andrew Moore, William Nalle, John Taylor (of Southampton), John West, and Aaron Lewis.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution; and that Messrs. Mason, Fleming, Richard Henry Lee, Lawson, Tazewell, General Nelson, Taylor (of Caroline), Lyne, Zachariah Johnson, William Ball, and John Hill Carter, do prepare and bring in the same.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

*Ordered*, That a writ issue for the election of delegates, to serve in this present General Assembly for the county of Sussex, there being no election held on the day appointed by law for want of a sheriff.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "to repeal the act, establishing a Board of War;" and one other act, "establishing a Board of Trade, and appointing a commissioner of the navy, a commissary of military stores, and a commercial agent," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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### FRIDAY, June 23, 1780.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the memorial of the officers of the Virginia line, who are prisoners of war on Long Island, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, amended, and is as followeth:

*Resolved*, that it is the opinion of this committee, That ten thousand pounds of tobacco be sent to each of our officers and volunteers, now held as captives on Long Island; and that the Governor, with advice of Council, be requested to take proper measures to forward the same with the utmost expedition, agreeable to the following list:

Colonel George Mathews;

Majors William Darke, Oliver Towles, Tarlton Woodson;

Captains John Willis, John Hays, John Poulson, Smith Sneed, George Gilchrist, Robert Higgins, Thomas Thwait;

Lieutenants Thomas Parker, Robert Woodson, Charles Sneed, Joseph Rogers, Robert Randolph, Severn Teacle, Thomas Payne, Thomas Martin, Erasmus Gill, Reuben Field, John Clarke, Samuel Findley, William George, Nathaniel Pendleton, jun. Thomas Warman, Henry Bedinger, Edward Smith;

Adjutant William Robinson;

Ensigns Charles Stockley, Nathaniel Darby, Thomas Coverley, Joseph Payne, John Robins, John Scarborough, Jonathan Smith, Robert Foster;

Citizens or volunteers, Thomas Brittle, Thomas Granberry, Josiah Riddick, John Meals, ——— Hancock, with two or three others in the city of New York whose names are unknown, amounting in the whole to 44 or 45.

And the said resolution so amended, being again read, was, on the question put thereupon, ordered to be recommended to the same committee.

A message from the Senate by Mr. Jones:

X MR. SPEAKER,—The Senate have agreed to the bill “for further continuing an act, entitled ‘an act to empower the Governor and Council to lay an embargo for a limited time;’ they have also agreed to the bill “to empower the high sheriffs to proceed in a summary way against their deputies, and for other purposes,” with several amendments, to which they desire the concurrence of this House; and also, they have agreed to the resolution respecting certificates for the value of wagons and horses impressed into the public service. And then he withdrew.

4 Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the petition of William Graham and John How, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same was again twice read, and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee, That the petition of the said William Graham and John How; setting forth, that about the 9th of May, 1779, when the enemy’s fleet were in Chesapeake Bay and Hampton Road, the schooner General Washington, the property of the petitioners, lay at Portsmouth, having on board a cargo of rum, sugar and coffee, to the amount of 935*l*. 17*s*. That Col. Thomas Mathews, then commanding officer of that garrison, impressed the said schooner for the purpose of carrying off some military stores to a place of security. That after the said stores were landed, the said schooner was obliged to be sunk in order to prevent her falling into the hands of the enemy, whereby she was greatly damaged, with the loss of her cargo; and in raising her, a considerable expense incurred. That had not the said schooner been impressed into the service of the State, she could easily have escaped the enemy, by going up James river; and praying to be paid by the public the amount of the said cargo; and also, that compensation may be made them for the damage which the said schooner sustained in sinking her; and to be reimbursed the expenses incurred in raising her, be rejected.*

A memorial of George Harmar, was presented to the House, and read; setting forth, that he arrived in Virginia from Great Britain in the month of May last, having brought with him deeds properly executed for the estate of his brother John Harmar, which by the operation of the acts of escheat and forfeiture has been lately sold; that upon his arrival he qualified himself as a citizen of this State, in order to take possession of the said estate, which had not been sold before the execution of the deeds from his brother; that the uniform conduct of himself and his brother has always been friendly to the American cause, of which, and of his brother’s former and repeated intentions to convey the said estate to him, he hath authentic documents; and praying that the money arising from the sale of the estate may be returned to him, or such other part thereof, as may supply his immediate occasions, and the General Assembly shall deem just.

Ordered, That the said memorial be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Mathews:

X MR. SPEAKER,—The Senate have agreed to the bill “for establishing the town of Louisville, at the falls of Ohio, and one other town in the county of Rockingham.” And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and agreed to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and agreed to by the House, as followeth:

The General Assembly of Virginia, have had under their consideration, the agreement entered into between the commissioners of this Commonwealth and those of Pennsylvania, at Baltimore, on the 31st day of August, 1779, respecting the disputed territory and boundary lines between the two States, together with the papers and proceedings thereupon; and although the General Assembly of Virginia are far from thinking the reasoning of the Pennsylvania commissioners in support of their claim conclusive, or that this Commonwealth is bound by the agency of commissioners, whose powers were restrained to an agreement for ascertaining boundaries, to be referred to their respective Assemblies for their ratification or rejection, yet actuated by the same principles and motives which induced the Convention of Virginia, in that act, which formed our new government, to make a cession and release of the territory contained within their respective charters to the neighboring States, to promote the common cause of America, to prevent as far as in their power future disputes and animosities; and to prove the sincerity of their professions and desire to cultivate and maintain the most cordial harmony with their sister State of Pennsylvania, united with us by the most sacred ties in the defence of our common rights and liberty; the General Assembly of Virginia are willing to ratify the aforesaid agreement, on the conditions expressed in the following resolve, corresponding with the reservation in their offer of December 18, 1776.

*Resolved, therefore, That the agreement made on the 31st day of August 1779, between James Madison and Robert Andrews, commissioners for the Commonwealth of Virginia, and George Bryan, John Eweing and David Ritzenhouse, commissioners for the Commonwealth of Pennsylvania, be ratified, and finally confirmed, to wit: that the line commonly called Mason’s and Dixon’s line, be extended due west five degrees of longitude, to be computed from*



the river Delaware, for the southern boundary of Pennsylvania; and that a meridian drawn from the western extremity thereof, to the northern limits of the said States respectively, be the western boundary of Pennsylvania, forever: on condition, that the private property and rights of all persons acquired under, founded on, or recognized by the laws of either country previous to the date thereof, be saved and confirmed to them, although they should be found to fall within the other; and that in the decision of disputes thereupon, preference shall be given to the elder or prior right, which ever of the said States the same shall have been acquired under, such persons paying to that State within whose boundary their lands shall be included, the same purchase or consideration money which would have been due from them to the State under which they claimed the right; and where any such purchase or consideration money hath since the declaration of American independence, been received by either State for lands which, according to the before recited agreement, shall fall within the territory of the other; the same shall be reciprocally refunded, and repaid.

*Resolved*, That upon the acceptance and full ratification of this condition and agreement on the part of the Commonwealth of Pennsylvania, the Governor be empowered with the advice of the Council, to appoint two commissioners on behalf of this Commonwealth, in conjunction with commissioners to be appointed by the Commonwealth of Pennsylvania, to extend the line commonly called Mason's and Dixon's line, five degrees of longitude from Delaware river as aforesaid, and from the western termination thereof, to run and mark a meridian line to the Ohio river, which is as far as far as the General Assembly conceive the same can at present be extended and marked, without danger of umbrage to the Indians, giving to the said commissioners on the part of Virginia, such instructions therein, as the Governor, with the advice of the Council, shall judge proper.

*Ordered*, That Mr. Starke do carry the resolutions to the Senate, and desire their concurrence.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

A petition of Isaiah Marks, was presented to the House, and read; setting forth, that being detached with Col. Buford's regiment to the southward, in which he held command as a captain, he became a prisoner to the enemy, on the defeat of the regiment, the 29th ultimo, and was stripped of all his clothes, money, and papers; that he is now discharged on parole, and for want of his papers cannot obtain the money and clothing due him by the public; and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Starke reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the letter of Mr. John Todd, jun. to them referred; and had agreed to a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, that the said Mr. Todd, who was appointed commandant at the Illinois, did, during his continuance in that office, advance sundry sums of money for public use, which were not reimbursed, until a very considerable depreciation had taken place.

It also appears to your committee, that the salary allowed to the said Mr. Todd at the time of appointing him to the command aforesaid, hath not as yet been paid.

And it further appears to your committee, that the said Mr. Todd sustained a loss of clothing, and a variety of other effects, which were captured by the enemy, on their removal from the Illinois.

Whereupon, the committee came to the following resolutions:

*Resolved*, as the opinion of this committee, That the said Mr. John Todd ought to be allowed by the public, a reasonable allowance as well on the monies advanced, as on his salary, which is yet unpaid; and that the Governor and Council be authorised and requested, to settle and adjust the accounts of the said Mr. Todd, and make such allowance.

*Resolved*, as the opinion of this committee, That the said Mr. Todd ought to be paid by the public, for the apparel and other effects captured by the enemy, on their removal from the Illinois; and that the Governor and Council be authorised to make him such allowance for the same, as they shall judge reasonable.

The first resolution was read a second time, and on the question put thereupon, agreed to by the House.

The second resolution was read a second time, and on the question put thereupon, disagreed to by the House.

*Ordered*, That Mr. Starke do carry the first resolution to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "to secure to the persons who derive titles to lots or lands under the lottery, or under a deed of trust, of the late William Byrd, Esq. a permanent fee simple estate therein;" and that Messrs. Fleming, Southall and Starke, do prepare and bring in the same.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the more equal distribution of intestates estates;" and on the bill "to repeal the act, establishing a Board of War," and one other act, "establishing a Board of Trade, and for appointing a commissioner of the navy, a commissary of military stores, and a commercial agent," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.



SATURDAY, June 24, 1780.

A message from the Senate by Mr. Bassett:

X MR. SPEAKER,—The Senate have agreed to the bill, “to give further time to delinquent counties to pay their specific tax;” also, they have agreed to the bill, “for further continuing and amending an act, entitled ‘an act, for the inspection of pork, beef, flour, tar, pitch and turpentine;’” also, they have agreed to the bill, “to amend the act, for establishing a loan office, for the purpose of borrowing money for the use of the United States, and to appoint a commissioner for superintending the same;” and they have also agreed to the bill, “for further continuing and amending an act, entitled ‘an act, for appointing naval officers, and ascertaining their fees,’” with several amendments; to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Du-Val:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to Mathias Selser; also, they have agreed to the resolution, that certain sums of the called in emissions of continental money belonging to the inhabitants of Illinois, ought to be exchanged. And then he withdrew.

X The House proceeded to consider the amendments of the Senate, to the bill, “to empower the high sheriffs to proceed in a summary way against their deputies, and for other purposes;” and the same being read, were agreed to.

Ordered, That Mr. Zachary Johnson do acquaint the Senate therewith.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their further consideration, the memorial of the officers of the Virginia line, who are prisoners of war on Long Island and in New York, to them recommitted, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same was again twice read, amended, and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee,* That five thousand pounds of tobacco be sent to each of our officers and volunteers now held as captives on Long Island and in New York; and that the Governor with the advice of Council, be requested to take proper measures to forward the same with the utmost expedition, agreeable to the following list; but if a flag cannot be obtained for that purpose, that then the Governor, and Council be desired either to sell the said tobacco for specie and transmit the money arising from such sale, or to take such other step, as to them shall seem most beneficial for the said officers.

Colonel George Mathews;

Majors William Darke, Oliver Towles, Tarlton Woodson;

Captains John Willis, John Hays, John Poulson, Smith Sneed, George Gilchrist, Robert Higgins, Thomas Thewait;

Lieutenants Thomas Parker, Robert Woodson, Charles Sneed, Joseph Rogers, Robert Randolph, Severn Teacle, Thomas Payne, Thomas Martin, Erasmus Gill, Reuben Field, John Clarke, Samuel Findley, William George, Nathaniel Pendleton, jun. Thomas Warman, Henry Bedinger, Edward Smith;

Adjutant William Robinson;

Ensigns Charles Stockley, Nathaniel Darby, Thomas Coverley, Joseph Payne, John Robins, John Scarborough, Jonathan Smith, Robert Foster;

Citizens or volunteers, Thomas Brittle, Thomas Granberry, Josiah Riddick, John Meals; ——— Hancock, William Rogers, with two or three others, in the city of New York whose names are unknown, amounting in the whole to 45 or 46.

Ordered, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

*Resolved,* That the Governor, with the advice of Council, be desired to appoint three other persons in addition to those already appointed, to settle the account of this Commonwealth with John Ballendine, and John Reeveley, agreeable to a resolution passed the last session of General Assembly; and that any three of them be a sufficient number to proceed therein, giving at least five days notice to the said Ballendine and Reeveley, of the time and place, when and where, the business shall be entered upon.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

Ordered, That Mr. Tyler do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

*Resolved,* That the treasurer be directed to advance to each officer of the militia, ordered to march for the relief of South Carolina, the sum of two hundred pounds, to be hereafter deducted from the pay of the said officers respectively.

And the said resolution being read a second time, and the question put, that the House do agree to the same,

It passed in the negative.

*Resolved,* That the resolution be rejected.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of Henry Duckwall, late a soldier in the con-

tinental army, praying that an allowance in money may be made him for a suit of clothes, which appears to be due to him from a certificate of Captain John Steed, is reasonable; and that the auditors of public accounts do make the said allowance.

*Resolved, that it is the opinion of this committee,* That the petition of George Combs, late a soldier in the 4th Virginia regiment, praying that an allowance in money may be made him, for one pair of breeches and one shirt, which appears to be due to him from a certificate of Joseph Carleton Payne of the continental Board of War, as his deficiency of clothing previous to the year 1778, is reasonable; and that the auditors of public accounts do make the said allowance.

*Resolved, that it is the opinion of this committee,* That the petition of Clement Sullivan, late a soldier in the 4th Virginia regiment, praying that an allowance in money may be made him for one pair of breeches, which appear to be due to him from a certificate of Joseph Carleton Payne of the continental Board of War, as his deficiency of clothing previous to the year 1778, is reasonable; and that the auditors of public accounts do make the said allowance.

*Resolved, that it is the opinion of this committee,* That the petition of John Moore, late a soldier in the 10th Virginia regiment, praying that an allowance in money may be made him for two hats, one waistcoat, three pair of breeches, one pair of stockings and two blankets, which appears to be due to him from a certificate of Capt. Nathan Reed, as his deficiency of clothing for the years 1777, 1778 and 1779, is reasonable; and that the auditors of public accounts do make the said allowance.

*Ordered,* That Mr. Richard Lee, do carry the resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolution respecting Captain Peter De La Croix. And then he withdrew.

*Ordered,* That leave be given to bring in a bill “for the more effectual administration of justice in the county of Kentucky;” and that Messrs. Todd and Starke do prepare and bring in the same.

*Ordered,* That Mr. Starke have leave to be absent from the service of this House, until Tuesday next; and Mr. Joseph Cabell for the remainder of the session.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, the petition of Capt. Isaiah Marks, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee,* That so much of the petition of the said Isaiah Marks, as sets forth, that being a captain in the 7th continental Virginia regiment, he was detached into Col. Buford's battalion, and was with the said battalion on the 29th of May last, made prisoner of war; that when taken, he was stripped of his clothes, papers and money; that a considerable deficiency of clothing is due him; and praying that he may be immediately furnished by the commissary of stores, with such his deficiency of clothing, is reasonable.

*Resolved, that it is the opinion of this committee,* That such other parts of the petition of the said Captain Isaiah Marks, as sets forth, that having recruited nine men for the continental service, he applied to the auditors for a warrant entitling him to the bounty allowed by law, but having lost the certificates of the said soldiers enlistments, with his other papers, they refused to grant such warrant; and praying to be allowed the said bounty, is reasonable; and that the auditors of public accounts do issue their warrant for the payment of the same, upon his making affidavit before them of his having recruited the said men.

*Ordered,* That Mr. Lee do carry the resolutions to the Senate, and desire their concurrence.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bill, “for the more equal distribution of intestates estates,” being read,

*Ordered,* That the same be put off till Monday next.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill “to repeal the act establishing a Board of War;” and one other act “establishing a Board of Trade, and for appointing a commissary of military stores, and a commercial agent,” being read,

*Ordered,* That the same be put off till Tuesday next.

And then the House adjourned till Monday morning, 10 o'clock.

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### MONDAY, June 26, 1780.

The House proceeded to consider the amendment of the Senate, to the bill “for further continuing an act, entitled ‘an act for appointing Naval Officers, and ascertaining their fees;’” and the same being read, was agreed to.

*Ordered,* That Mr. Fleming do acquaint the Senate therewith.

*Ordered,* That Mr. Nalle have leave to be absent from the service of this House, for the remainder of the session.

Mr. Todd presented, according to order, a bill “for the more effectual administration of justice in the county of Kentucky;” and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington reported, from the committee appointed to examine the late treasurer's accounts, that the com-

mittee had, according to order, examined and compared the same with their proper vouchers, from the 2d day of October last to the 27th of December following, inclusive; and had agreed to a report thereon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, and is as followeth:

The committee appointed to examine the late treasurer's accounts have, according to order, carefully examined and compared the same with their proper vouchers, from the 2d day of October last to 27th December following, inclusive; and find that the sum of 119,089*l.* 1*4s.* 11 3-4*d.* being the balance, as appears by the account last settled, is brought to the credit of the public, as the first article of his present account; that there hath been received on sundry accounts 1,844,737*l.* 1*4s.* 9 1-4*d.* out of which, the payments made by the treasurer, to sundry persons, amount to 1,836,375*l.* 11*s.* 6 1-2*d.*; and to George Brooke Esq. the present treasurer, 127,452*l.* 18*s.* 9 1-2*d.* including an error of 20*s.* 7*d.* discovered by the committee, which was the balance due the public on the 27th December last, as will more fully appear by an account hereto annexed.

Your committee find that the accounts are fairly and properly stated, and have been accurately kept.

<i>Dr.</i>		<i>The Public Treasury, in account with GEORGE WEBB, late Treasurer.</i>		<i>Cr.</i>	
To cash, paid sundry persons,	£1,836,375	11	6 1-2	By balance of last account,	£119,089 14 11 3-4
Ditto, paid George Brooke, Esq.	127,452	18	9 1-2	Cash, received on sundry accounts,	1,844,737 14 9 1-4
					1,963,827 9 9
				Error discovered by the committee,	1 0 7
					£1,963,828 10 4

And the said report being read a second time was, on the question put thereupon, agreed to by the House.

*Resolved*, That the accounts of George Webb, Esq. late treasurer, do pass.

*Ordered*, That Mr. Carrington do carry the said accounts to the Senate, and desire their concurrence.

The Speaker laid before the House a letter from Theoderick Bland, jun. Esq. containing his acceptance of, and acknowledgments for, the honor done him in his appointment to represent this Commonwealth in Congress; which was read, and ordered to lie on the table.

A bill, "for the more effectual administration of justice in the county of Kentucky," was read the second time, and ordered to be committed to Messrs. Talbot, Strother, W. Watkins and Todd.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and on the bill "for the more equal distribution of intestates estates," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, June 27, 1780.

Mr. Starke presented, according to order, a bill "to authorise the citizens of North Carolina, South Carolina and Georgia, to remove their slaves into this State;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington presented, according to order, a bill "for the dissolution of vestries, and appointing overseers of the poor;" and the same was received and read the first time, and ordered to be read a second time.

The House proceeded to consider the report from the committee of Trade, on the memorial of Smyth Tandy, which lay on the table; and the same being again twice read and amended, was agreed to by the House, as followeth:

It appears to your committee, that agreeable to the Governor's address to the people, a considerable sum of money was collected in the county of Augusta, and by order of Sampson Mathews, lodged in the hands of Mr. Alexander Sinclair, to be by him transmitted to the Governor.

It also appears to your committee, that the said Alexander Sinclair, desirous of supplying the public demands, was induced to entrust the said sum of money to the care of the said Smyth Tandy, with a letter enclosing a list of the money so sent to the Governor.

That on the arrival of the said Smyth Tandy at this place, he waited on the Governor and Council with the same, who referred him to the treasurer.

That he accordingly attended at the treasury with the said money and letter; and examining the same, with the list sent, eight bundles thereof were found to be missing, amounting to four thousand three hundred and seventy-five pounds eight shillings.

It further appears to your committee, that the said Smyth Tandy, in order to find out the mistake, if possible, returned home for that purpose; and in examining some papers in his desk, he found only one small bundle, amounting to a very inconsiderable sum.

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the petition of the said Smyth Tandy, praying that he may not sustain the loss of the said sum of four thousand three hundred and seventy-five pounds eight shillings, be rejected.



A bill, "to authorise the citizens of North Carolina, South Carolina and Georgia to remove their slaves into this State," was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

Mr. Strother reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the memorial of George Harmar, to them referred, and had agreed to a report and resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, that John Harmar, brother to the memorialist, resided formerly many years in Virginia; that during that time, he was a representative in General Assembly for the city of Williamsburg, in which time also, he acquired a right to a considerable estate in the counties of Henry and Amherst, as well real as personal; that being obliged to leave Virginia, he returned to Great Britain, where he hath ever since resided, uniformly manifesting his friendship to this country, as well about the time of the Stamp Act as during the present war.

It further appears to your committee, that the memorialist hath, during the present war, always manifested an attachment to this Commonwealth, as far as his personal safety in the country where he resided would permit. That the said John Harmar, brother to the memorialist, being about seventy years old, and without a child, passed a deed of conveyance to the memorialist for his whole Virginia estate; that immediately after obtaining the said deed, the memorialist set sail for this Commonwealth, where he arrived in the beginning of May last; that as soon as he arrived, he made application to the Court of Hustings for the city of Williamsburg, and there took the oath of fidelity to this Commonwealth, agreeable to the act of Assembly, "declaring who shall be citizens;" that previous to the memorialist's arrival in this State, all the said estate, conveyed to him by his brother as aforesaid, had been escheated under the act of Assembly, "concerning escheats and forfeitures from British subjects;" and that part which lay in the county of Amherst had been actually sold; but that the part which remained unsold, had been secured from a sale by an injunction obtained for that purpose.

Whereupon, your committee came to the following resolution:

*Resolved, that it is the opinion of this committee, That the memorial of the said George Harmar, praying that the amount of sales of his whole estate may be returned to him, when he shall satisfy the General Assembly of his attachment to this country; and in the mean time, to be permitted to draw from the public treasury, out of the said sales, and the sequestered profits of his said estate, sufficient for his maintenance and support, is reasonable.*

*Ordered, That the committee of Propositions and Grievances, who were ordered to bring in a bill "respecting the estate of Walter King Cole," do receive a clause or clauses, pursuant to the said resolution.*

Mr. Talbot reported, from the committee to whom the bill "for the more effectual administration of justice in the county of Kentucky" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered, That the bill, with the amendments, be engrossed and read the third time.*

The House proceeded to consider the report from the committee of Privileges and Elections, respecting the case of Mr. William Bibb, which lay on the table; and the same was again read, and is as followeth:

It appears to your committee, that Mr. William Bibb, a delegate for the county of Prince Edward, did, at the last session of Assembly, draw an excess of nine days wages; that Mr. Bibb was informed by several members of the Assembly in frequent conversation before, and once after he had drawn his wages, that it was contrary to law, to include in his account for attendance, days on which he was absent from the service of the House; but at the same time was told by one member, he believed it had heretofore been done by some, though he conceived it to be illegal.

It appears also to your committee, that there hath been different opinions among members of the Assembly, with respect to the legality of drawing wages for absent days, and that it hath heretofore been practised by some of them.

And it further appears to your committee, that Mr. Flournoy, the colleague of the said William Bibb, on being told that the latter had drawn more wages than he was entitled to, did refund the amount thereof; and that Mr. Bibb himself did refund one days wages which he conceived he had drawn improperly, before this subject was taken up by the Assembly.

Whereupon, your committee came to the following resolutions:

*Resolved, that it is the opinion of this committee, That the said Mr. William Bibb, in drawing the aforesaid nine days wages, acted more from error than a design of defrauding the public.*

*Resolved, that it is the opinion of this committee, That the practice of drawing wages for days on which members are absent from the Assembly, is contradictory to law, and ought not to be used.*

The 1st resolution was read a second time; and on the question put thereupon, disagreed to by the House.

The 2d resolution was read a second time; and on the question put thereupon, agreed to by the House.

On a motion made,

*Ordered, That Mr. William Bibb, a member of this House, for the county of Prince Edward, do receive a reprimand from the chair in his place, for having illegally drawn an excess of wages for attendance on the last session of General Assembly.*

*Ordered, That Messrs. Hooe, Fitzhugh, and Zachariah Johnson, have leave to absent from the service of this House, for the remainder of the session.*

Mr. Starke presented, according to order, a bill "for giving more permanent salaries to the Governor, the Coun-

cil, and to the other officers of State;" and the same was received and read the first time, and ordered to be read a second time.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for the more equal distribution of intestates estates;" being read,

*Ordered*, That the same be put off till the second Monday in October next.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to repeal the act establishing a Board of War;" and one other act "establishing a Board of Trade; and appointing a commissioner of the navy, a commissary of military stores, and a commercial agent;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fleming reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again. \*

*Resolved*, That this House will, to-morrow, again resolve itself into a committee on the said bill.

A bill, "for the dissolution of vestries, and appointing overseers of the poor;" was read the second time, and ordered to be committed to a committee of the whole House.

A motion was made, and the question being put, that this House will resolve itself into a committee of the whole House, to consider of the said bill, on the third Thursday in the next session of Assembly,

It was resolved in the affirmative.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, June 28, 1780.

A memorial of the court of directors of the hospital for the reception of idiots, lunatics and persons of unsound minds, was presented to the House, and read; setting forth, that the great depreciation of the paper currency hath occasioned the provision made for the support of that charitable institution, to be very inadequate thereto; and praying a further provision.

Also, a petition of mechanics at the Gun Factory in Fredericksburg; setting forth, that the allowance made them for their services by the commissioners is very insufficient; that the commissioners do not think themselves authorised to increase their wages; whereby they must continue to serve the public at a very great disadvantage, or seek other employ; and praying relief.

*Ordered*, That the said memorial and petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Fleming presented, according to order, a bill "to secure to the persons who derive titles to lots, lands or tenements, under the lottery, or under a deed of trust of the late William Byrd, Esq. to a permanent fee simple estate therein;" and the same was received and read the first time, and ordered to be read a second time.

The Speaker, according to the order of yesterday, proceeded to pronounce the censure of the House on Mr. William Bibb, who appeared in his place; and Mr. Speaker, the said William Bibb standing in his place, was pleased to address him, as followeth:

Mr. William Bibb,—You have been charged with taking a sum of money from your country, for your services in this House, which you had no right to receive; the matter has been fully investigated, and proved on you beyond a doubt; and what adds greatly to the crime is, your being informed before you received it that your demand was illegal and unjust. This House, considering the crime great in any person, but abundantly more so in one of its members, who ought to set an example of justice, uprightness and integrity to the rest of the community, have mildly determined that your punishment should be a reprimand from the Chair. It is a painful task indeed, sir, that I am about to perform; and I have only this consolation, that the sentence is just, and by no means disproportioned to the offence: your own feelings, I dare say, will tell you this: and I will not add to them by any observations of mine. I have it in command, sir, from the House, to reprimand you; and I do reprimand you accordingly.

Mr. Starke presented, according to order, a bill "for putting the eastern frontier of this Commonwealth into a posture of defence;" and the same was received and read the first time, and ordered to be read a second time.

A bill, "for giving more permanent salaries to the Governor, the Council, and to the other officers of State," was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to repeal the act 'establishing a Board of War,'" and one other act "establishing a Board of Trade, and appointing a commissioner of the navy, a commissary of military stores, and a commercial agent;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

An engrossed bill, "for the more effectual administration of justice in the county of Kentucky," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act for establishing three new counties on the western waters."

*Ordered*, That Mr. Todd do carry the bill to the Senate, and desire their concurrence.

Mr. Richard Henry Lee presented, according to order, a bill "for speedily recruiting the quota of this State for the continental army;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill, "for giving more adequate wages to scouts;" and that Messrs. Reid, Todd, Trigg, and Stephens, do prepare and bring in the same.

A bill, "for putting the eastern frontier of this Commonwealth into a posture of defence," was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

A bill, "for speedily recruiting the quota of this State for the continental army," was read the second time, and ordered to be committed to a committee of the whole House on Friday next.

*Ordered*, That the committee of the whole House be discharged from proceeding on so much of the letters and papers from the Governor as respects the apprehending deserters; and that the same be referred to the committee appointed to prepare and bring in a bill, "to give a further reward for apprehending deserters."

*Ordered*, That Mr. Innes be added to the committee to whom the letter from Mr. Thomas Smith was referred; and Mr. Page to the committee appointed to prepare and bring in a bill "respecting supply and finance."

*Ordered*, That Mr. William Bibb have leave to be absent from the service of this House for the remainder of the session.

*Ordered*, That leave be given to bring in a bill "to vest certain escheated lands in the county of Kentucky in trustees for a public school;" and that Messrs. Todd, Richard Henry Lee, Stephen Trigg, and McDowell, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "for dissolving several vestries, and electing overseers of the poor;" and that Messrs. McDowell and Starke, do prepare and bring in the same.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and on the bill "to authorise the citizens of North Carolina, South Carolina and Georgia, to remove their slaves into this State," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, June 29, 1780.

A bill, "to vest in the persons who hold lots, lands, or tenements under the lottery, or under a deed of trust of the late William Byrd, Esq. a fee simple estate therein," was read the second time, and ordered to be engrossed, and read the third time.

A message from the Senate, by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "to amend the several acts of Assembly, respecting the inspection of tobacco," with amendments; to which they desire the concurrence of this House. And then he withdrew.

The House being informed, of a violent breach of privilege, committed by Mr. William Bibb, a member of this House, who insulted and assaulted several members for words spoken in the House.

*Ordered*, That the committee of Privileges and Elections do inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. McDowell presented, according to order, a bill "for dissolving several vestries, and electing overseers of the poor;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Starke reported, from the committee of the whole House, the amendments agreed to yesterday, to the bill "to repeal the act, for establishing a Board of War;" and one other act, "establishing a Board of Trade; and appointing a commissioner of the navy, a commissary of military stores, and a commercial agent;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read and amended, and agreed to by the House.

*Ordered* That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Taylor:

MR. SPEAKER,—The Senate have agreed to several resolutions, for paying deficiencies of clothing to Captain Isaiah Marks, John Moore, Henry Duckwall, Clement Sullivan, and George Combs; they have also agreed to the resolution, for appointing commissioners to settle the accounts of Ballentine and Reeveley with the public, with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, were agreed to.

*Ordered*, That Mr. Carrington do acquaint the Senate therewith.

Mr. Todd presented, according to order, a bill "to vest certain escheated lands, in the county of Kentucky, in



trustees, for a public school;" and the same was received and read the first time, and ordered to be read a second time.

The House proceeded to consider the amendments of the Senate to the bill "to amend the several acts of Assembly, respecting the inspection of tobacco;" and the same being read, some were agreed to, and others disagreed to.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A message from the Senate by Mr. Dixon:

MR. SPEAKER,—The Senate have agreed to the resolution respecting Mr. John Todd, jun. with several amendments; to which they desire the concurrence of this House. And then he withdrew.

Mr. Reid presented, according to order, a bill "for giving more adequate wages to scouts;" and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to a resolution for sending a supply in tobacco to the captive officers on Long Island, &c. with an amendment; to which they desire the concurrence of this House. And then he withdrew.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bills "to give more permanent salaries to the Governor, the Council, and the other officers of State;" "for putting the eastern frontier of the Commonwealth into a posture of defence;" and "to authorise the citizens of North Carolina, South Carolina and Georgia, to remove their slaves into this State," being read.

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### FRIDAY, June 30, 1780.

The House proceeded to consider the amendment of the Senate to the resolution for sending a supply of tobacco to the captive officers on Long Island; and the same being read, was amended, and agreed to.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith.

The House proceeded to consider the amendments of the Senate to the resolution respecting Mr. John Todd, jun.; and the same being read, were agreed to.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

Mr. William Watkins reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined several others, and found them to be truly enrolled.

*Ordered*, That Mr. William Watkins do carry the bills to the Senate for their inspection.

A bill, "to vest certain escheated lands in the county of Kentucky, in trustees for a public school;" was read the second time, and ordered to be committed to Messrs. Landon Carter, Strother, and Todd.

A bill, "for giving more adequate wages to scouts," was read the second time, and ordered to be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to authorise the citizens of North Carolina, South Carolina and Georgia, to remove their slaves into this State;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

Mr. Strother presented, from the committee of Propositions and Grievances, according to order, a bill "to suppress in part the operation of the act concerning escheats and forfeitures from the British subjects, and for other purposes;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Braxton reported, from the committee of Privileges and Elections, that the committee had, according to order, had under their consideration the information against Mr. William Bibb, a member of this House, for a breach of privilege, to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, that the said William Bibb, has obtained leave of absence for the remainder of the session.

That the said Bibb's place of residence is at too great a distance to command his attendance before the end of the present session.

That your committee cannot proceed to inquire into the said Bibb's conduct, agreeable to the said order of the House, without doing it ex-parte.

Whereupon, your committee came to the following resolution:

*Resolved*, That the further consideration of the said William Bibb's case, ought to be referred to the next session of Assembly; and that the clerk of the House of Delegates, do give him notice to appear on the third Munday thereof.

An engrossed bill, "to repeal the act establishing a Board of War;" and one other "act establishing a Board of Trade; and for appointing a commissioner of the navy, a commissary of military stores, and a commercial agent;" was read the third time.

*Resolved*, That the bill do pass, and that the title be, "an act to repeal the act establishing a Board of War;" and one other "act establishing a Board of Trade; and for appointing a commissioner of the navy, a commissioner of the war office, and a commercial agent."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

A bill, "for dissolving several vestries and electing overseers of the poor;" was read the second time, and ordered to be committed to Messrs. Zane, McDowell, Todd, Rose, Carrington and Strother.

The House, according to the order of the day, resolved itself into a committee of the whole House on the bill "for giving more permanent salaries to the Governor and Council, and to the other officers of State," and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

Mr. Strother reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, the petition of sundry mechanics, employed at the public factory of arms in the town of Fredericksburg, to them referred, and had agreed to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Resolved*, that it is the opinion of this committee, That the said petition, praying an augmentation of the wages of the petitioners, is reasonable; and that the same ought to be increased to the sum of seven pounds ten shillings per day, to continue until the end of the next session of Assembly.

*Ordered*, That Mr. Strother do carry the resolution to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for speedily recruiting the quota of this State, for the continental army," being read,

*Ordered*, That the same be put off till to-morrow.

A memorial of the court of Amherst county, was presented to the House, and read; setting forth, that they had proceeded to certify an allowance for the expense of supporting the widow and child of a soldier, as by law they were empowered to do; that this allowance was made after the operation of another act "altering the mode of making such allowances," but before they knew of the latter law; and that the auditors have refused to pay the same; and praying relief.

*Ordered*, That the said memorial be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Mason presented, according to order, a bill, "for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress, of the 18th of March last;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Strother reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, the petition of Col. George Rogers Clarke, together with an Indian deed to him, for a certain tract of land therein mentioned, to them referred, and had agreed upon a report and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to this committee, that the said Col. George Rogers Clarke, hath rendered great services to this Commonwealth, not only in reducing the British posts at the Kaskaskies and St. Vincent's, and engaging the inhabitants there to become citizens of this Commonwealth; but also in defeating the machinations of our enemies, by attaching to our interest, many heretofore hostile tribes of Indians, and thereby saving the inhabitants of the western frontiers of this and the neighboring States, from a cruel and destructive Indian war, meditated by the British officers against them.

It also appears to this committee, that the said Indian tribes inhabiting the country upon the Obache, and the adjacent waters of the Ohio, as a testimony of their great regard for the said Col. Clarke, and their friendship to Virginia, and the other United States of America, made him a deed of conveyance, bearing date the sixteenth day of June, one thousand seven hundred and seventy-nine, for a certain tract of land at the falls on the northwest side of the Ohio river, of seven miles and a half square, containing about thirty six thousand acres, which is registered in the records of the court of St. Vincent's; that, although this Commonwealth hath the undoubted right of pre-emption from the Indians, of all lands within its own territory, and the said deed not being valid in law, Col. Clarke disclaims any title under it unless the same shall be confirmed to him by the legislature. Yet this committee, upon considering the allegations in the said petition, are of opinion, that the said tract of land ought to be granted to the said Col. Clarke, for the consideration money of twenty pounds for every hundred acres, reserving for the public use one thousand acres thereof, in the most convenient part, for a fort and town.

Whereupon, your committee came to the following resolutions:

*Resolved*, That the said petition is reasonable; and that the register of the land office, ought to be empowered to grant unto the said Col. George Rogers Clarke, upon the auditor's certificate of the payment of the sum of seven

thousand pounds current money, into the treasury; a special warrant directed to the surveyor of Kentucky county, authorising and requiring him, to lay off and survey, for the said Col. Clarke, the said tract of land, to contain thirty-six thousand acres, according to the following bounds, viz: beginning on the northwest side of the Ohio river, opposite to the middle of the first Island below the falls, and extending thence, up the said river, according to the several courses and meanders thereof, so far as upon reducing the same to a straight line, will measure seven miles and a half; thence into the woods by a course at right angles, with the said reduced lines, so far as by running a line parallel with the said reduced line, seven miles and a half; and from thence to the beginning, will include between the back line and the meanders of the river, the aforesaid quantity of thirty six thousand acres; and upon the return of the plat and certificate, of the said survey, into the land office, and payment of the legal fees, that the Governor be empowered and required to make a grant for the same, unto the said Col. George Rogers Clarke, his heirs and assigns, with a clause or clauses therein, expressly excepting and reserving, for the public use and benefit, the quantity of one thousand acres of land, bounded as follows: beginning on the river side, one hundred and sixty poles below the lower part of the falls, or greatest fall of water; and running thence up the river, according to its several meanders, one hundred and sixty poles above the hammock of drift trees, at the upper end of the said falls; and from thence into the woods by a course at right angles, from the courses of the river, reduced to a straight line, so far as by running a line parallel thereto, and of the same length with the said reduced line; and from thence a line at right angles, to the beginning, will include between the back line and the meanders of the river, the said quantity of one thousand acres.

*Resolved, as the opinion of your committee,* That the said tract of land ought to be exempted from the payment of taxes, until the adjacent lands on the same side of the Ohio river shall be settled, which is at present prohibited, and taxes imposed on them.

The first resolution was read a second time, and disagreed to by the House.

The second resolution was read a second time, and disagreed to by the House.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have receded from their eleventh amendment disagreed to by this House, to the bill “to amend the several acts of Assembly, respecting the inspection of tobacco;” and they do insist on their other amendments to the same bill, disagreed to by the House. And then he withdrew.

The House proceeded to consider the amendments insisted on by the Senate; and the same being read,

*Resolved,* That this House doth insist on their disagreement to the same.

*Resolved,* That a free conference be desired with the Senate on the subject matter of the said amendments; and that Messrs. Starke, Mason, William Watkins, Richard Henry Lee, and General Nelson, do manage the same.

*Ordered,* That Mr. Starke do acquaint the Senate therewith.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate agree to the amendment to the resolution for sending a supply in tobacco to the captive officers on Long Island; also, to the bill “for establishing three new counties on the western waters.” And then he withdrew.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bill, “for putting the eastern frontier of the Commonwealth into a posture of defence,” being read,

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, July 1, 1780.

A message from the Senate, by Mr. Harrison:

MR. SPEAKER,—The Senate have examined several enrolled bills, and find them to be truly enrolled, and their Speaker hath signed them. And then he withdrew.

The Speaker signed the following enrolled bills:

“An act for altering the salaries heretofore given to the Judges of the Superior Courts.”

“An act for further continuing an act, entitled ‘an act to empower the Governor and Council to lay an embargo, for a limited time.’”

“An act for establishing the town of Louisville at the falls of Ohio, and one other town in the county of Rockingham.”

“An act to give further time to delinquent counties to pay their specific tax, and for other purposes.”

“An act to amend the act, entitled ‘an act for establishing a loan office, for the purpose of borrowing money for the use of the United States, and appointing a commissioner for superintending the same.’”

“An act for locating the public squares, to enlarge the town of Richmond, and for other purposes.”

“An act to revive and amend an act, entitled ‘an act for the inspection of pork, beef, flour, tar, pitch and turpentine.’”

“An act to empower the high sheriffs to proceed in a summary way against their deputies, and for other purposes.”



Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the memorial of the court of directors of the hospital for the reception of lunatics, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the directors of the hospital for the reception of lunatics, have power to draw from the public stores such clothing and other necessities, as may be wanted for the use of the disordered people in the hospital, and to draw upon the auditors from time to time for so much money as may be necessary for defraying the expenses of the said hospital, rendering half yearly accounts to the auditors of their expenditures therein.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution; and that the committee of Propositions and Grievances do prepare and bring in the same.

An engrossed bill, "to secure to the persons who derive titles to lots, lands or tenements, under the lottery or under a deed of trust of the late William Byrd, Esq. a permanent fee simple estate therein;" was read the third time, and the blanks therein filled up;

And the question being put, that the said bill do pass,

It passed in the negative.

*Resolved*, That the bill be rejected.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate do agree to the free conference desired by this House, on the subject matter of the amendments to the bill "to amend the several acts of Assembly respecting the inspection of tobacco;" and have appointed conferees on their part. And then he withdrew.

*Ordered*, That Messrs. Hutchings, West, Brown, Cocke, Wells, Digges and Godwin, have leave to be absent from the service of this House, for the remainder of the session.

The Speaker laid before the House a letter from the Governor, enclosing several others from the President of Congress, General Washington, and the committee of co-operation, together with several resolutions of Congress, respecting supplies of men and money. As also a letter from the county lieutenant of Elizabeth City, containing information of the arrival of an enemy's fleet; which were read and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

Mr. Landon Carter reported, from the committee to whom the bill "to vest certain escheated lands, in the county of Kentucky" was committed, that the committee had, according to order, had the said bill under their consideration, and made no amendment thereto.

*Ordered*, That the bill be engrossed, and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for speedily recruiting the quota of this State for the continental army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the said report be received on Monday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and on the bill "for putting the eastern frontier of the Commonwealth into a posture of defence," being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

## MONDAY, July 3, 1780.

The House met according to their adjournment; and there not being a sufficient number of members to proceed to business,

*Ordered*, That the House be called over immediately.

The House being accordingly called over, the names of the members who failed to appear were noted, and the names of those who made default being again called over, some were excused on account of sickness, necessary absence on the service of the State elsewhere, and other justifiable avocations.

*Ordered*, That the members who were absent, and for whom no excuses, or insufficient excuses, have been made, be taken into custody.

*Ordered*, That the serjeant at arms attending this House take into his custody, Hugh Rose, a member for the county of Amherst; William Fleming, a member for the county of Chesterfield; Beverley Randolph, a member for the county of Cumberland; Joseph Jones, a member for the county of Dinwiddie; Robert Beverley, a member for the county of Essex; Thomas Underwood, a member for the county of Goochland; Richard Chapman, a member for the county of Hanover; Turner Southall, a member for the county of Henrico; James Innes, a member for the county of James City; Philip Taliaferro, a member for the county of King and Queen; John Hill Carter, a member for the county of Lancaster; John Garland, a member for the county of Lunenburg; Robert Munford and Samuel Goode,

members for the county of Mecklenburg; James Montague, a member for the county of Middlesex; John Posey, a member for the county of New Kent; John Stratton, a member for the county of Northampton; William Lee, a member for the county of Northumberland; Zachariah Burnley, a member for the county of Orange; William Mayo, jun. a member for the county of Powhatan; Robert Lawson, a member for the county of Prince Edward; Benjamin Harrison, a member for the county of Rockingham; Thomas Allen, a member for the county of Shenandoah; John Rogers and John Taylor, members for the county of Southampton; William Reynolds, a member for the county of York; and Henry Tazewell, a member for the city of Williamsburg.

*Ordered*, That the House adjourn until 4 o'clock in the afternoon.

The House met according to adjournment.

The House being informed that Mr. Hugh Rose, a member for the county of Amherst, and Mr. Richard Chapman, a member for the county of Hanover, attended in custody of the serjeant at arms;

*Ordered*, That the said Hugh Rose and Richard Chapman, be admitted to their seats, on paying fees.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and on the bill "for putting the eastern frontier of the Commonwealth into a posture of defence." being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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## TUESDAY, July 4, 1780.

The House being informed, that Mr. Southall, a member for the county of Henrico; Mr. Posey, a member for the county of New Kent; Mr. Goode, a member for the county of Mecklenburg; Mr. Taylor, a member for the county of Southampton; Mr. Taliaferro, a member for the county of King and Queen; Mr. Garland, a member for the county of Lunenburg; Mr. Lawson, a member for the county of Prince Edward; Mr. Burnley, a member for the county of Orange; Mr. Tazewell, a member for the city of Williamsburg; Mr. Fleming, a member for the county of Chesterfield; Mr. Randolph, a member for the county of Cumberland; Mr. Innes, a member for the county of James City; and Mr. John Hill Carter, a member for the county of Lancaster, attended in custody of the serjeant at arms;

*Ordered*, That they be severally admitted to their seats, on paying fees.

A motion was made, that the House do agree to the following resolutions:

The General Assembly of Virginia having at a former session, proposed to the Assembly of the neighboring Commonwealth of North Carolina, to pass mutual laws, for securing real property to the owners, whether claimed by title of record or actual settlement, who on running the late boundary line might be found not to be in the State they settled under, and wishing to establish a principle for abolishing all local distinctions between States in one Union, whose citizenship is or ought to be reciprocal, have observed with great pleasure, that the Legislature of North Carolina, have in part closed with their proposition, by passing a law in October, 1779, for the purpose of establishing titles by actual settlement. But, as by a subsequent law, the operation of the first act is suspended until their next session: in order to do justice between patentees under this government and mere actual settlers claiming the same land; as it is doubtful whether the said patentees are in the said first law provided for; as a speedy decision of the matter would quiet the minds of men immediately interested therein, which it is hoped the Assembly of North Carolina will give at their next session; and that they may have all necessary information on the subject:

*Resolved, therefore*, That it be represented to the Assembly of North Carolina, that there were under the regal government several modes of gaining a title to lands, none of which became complete except by the obtaining a patent written on parchment, and signed by the Governor for the time being; and that a claim to unappropriated lands was only supportable between the time of entry, and the time of obtaining such patent; after which the title of the patentee became indefeasible, unless by another patent of prior date; that no title by settlement was recognized under the said former government, such title being first established by a resolution of Convention of the 24th day of May 1776; which declared that all persons settled on any unlocated or unappropriated lands to which there was none other just claim, should have the pre-emption or preference in the grant of such lands; but that this resolution could never have retrospect so as to defeat prior patentees; and thus prove so injurious to fair purchasers; neither can lands before patented come within the description of unlocated or unappropriated.

This Assembly find themselves therefore, impelled by every motive of law and justice, warmly to solicit the Assembly of North Carolina, to establish these several titles to lands under their former proposition: and must also inform the said Assembly, that patentees and purchasers under them, have a right by the laws of this State to a preference to all other claims; and that a deprivation of this right would involve several fair and bona fide purchasers in unmerited loss, since they could never have foreseen that which was thought to be impossible, to wit: that a title under an express patent might be defeated. They will further observe also, that a certificate from the register of the Land Office, is the legal mode of fixing the authenticity of patents. The Assembly of Virginia again profess their willingness, on being informed of the ultimate determination of the Assembly of North Carolina, to meet them on the most liberal ground, and to do every thing on their part that right may take place herein.

*Resolved*, That copies of the foregoing resolutions, be transmitted by the Governor to his excellency the Governor of North Carolina, and to the Speaker of the Assembly.

And the said resolutions being read a second time, were ordered to be referred to Messrs. Mason, Lyne, Hardy, Tazewell, Rose and Field.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the memorial of the Justices of the county of Amherst, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the memorial of the Justices of the said county of Amherst; setting forth, that agreeable to the act of Assembly "for speedily recruiting the Virginia regiments on the continental establishment; and for raising additional troops of volunteers," which passed in October, 1777, they boarded, with a certain Adam Brown, the widow and child of Reuben Nevill, deceased, a soldier, who died in the continental service; that the account of the said Adam Brown against the public for boarding the said widow and child seven months, amounted to 56*l.*, which was by the said Court ordered to be certified for payment; that the auditors of public accounts refused to grant a warrant for the payment thereof agreeable to the said certificate; and praying that the said account, amounting to the said sum of 56*l.*, may be paid by the public, is reasonable.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the treasurer be required to forbear receiving money for the purchase of any waste or unappropriated lands, except upon certificate of settlement or pre-emption rights, until the further orders of the General Assembly therein.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Mason do carry the resolution to the Senate, and desire their concurrence.

An engrossed bill, "to empower the citizens of South Carolina and Georgia, to remove their slaves into this State," was read the third time, and a blank therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act, to empower the citizens of South Carolina and Georgia, to remove their slaves into this State."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for giving more adequate wages to scouts," was read the third time, and a blank therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act, for giving more adequate wages to scouts."

*Ordered*, That Mr. Reid do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to vest certain escheated lands in the county of Kentucky, in trustees for a public school," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act, to vest certain escheated lands in the county of Kentucky, in trustees for a public school."

*Ordered*, That Mr. Todd do carry the bill to the Senate, and desire their concurrence.

The Speaker laid before the House a letter from Col. Wood, respecting the present situation of the convention troops; which was read, and ordered to be referred to Messrs. Richard Henry Lee, Page, Custis, Taylor of Caroline, and Tyler.

A bill, "to suspend in part, the operation of the act concerning escheats and forfeitures from British subjects," was read the second time; and ordered to be engrossed, and read the third time.

A member returned on a new writ, having taken the oaths required by law, took his seat in the House.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate recede from some, and adhere to other of their amendments, to the bill "to amend the several acts of Assembly respecting the inspection of tobacco." And then he withdrew.

The House proceeded to consider the amendments adhered to by the Senate to the said bill; and the same being read,

*Resolved*, That this House doth recede from their disagreement to the said amendments.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

Mr. Carrington presented, from the committee for Religion, according to order, a bill "declaring what shall be a lawful marriage;" and the same was received and read the first time, and ordered to be read a second time.

A petition of Samuel Du-Val senior, William Ronald, William Du-Val, and Samuel Du-Val, jun. was presented to the House, and read; setting forth, that by the impressment of their wagons and teams into the public service, under an act of the present session of Assembly, great injury and distress will accrue to the petitioners in being obliged to discontinue the working their several coal pits; that this will also be attended with public inconvenience, by preventing the necessary supplies of coal to the several public works and manufactories; and praying relief.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the bill "to repeal the act, establishing a Board of War, and one other act, establishing a Board of Trade; and appointing a commissioner of the navy, a commissioner of



the war office, and a commercial agent," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolutions respecting the boundary line with Pennsylvania, with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment; and the same being read, was agreed to.

*Ordered*, That Mr. Mason do acquaint the Senate therewith.

Mr. Starke reported, according to order, the amendment made by the committee of the whole House, to the bill "for giving more permanent salaries to the Governor, the Council, and to the other officers of State;" and he read the same in his place, and afterwards delivered it in at the clerk's table, where the same was again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

A bill "for calling in, and redeeming the money now in circulation, and for emitting and funding new bills of credit according to the resolutions of Congress, of the eighteenth of March last," was read the second time; and ordered to be committed to a committee of the whole House, immediately.

The House accordingly, resolved itself into a committee on the said bill; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had desired him to move for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee on the said bill.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for putting the eastern frontier of this Commonwealth into a posture of defence," being read,

*Ordered*, That the same be put off till Thursday next.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

### WEDNESDAY, July 5, 1780.

*Ordered*, That leave be given to bring in a bill, "for bringing to speedy and condign punishment the enemies of America;" and that Messrs. Page, Richard Henry Lee, Innes, Randolph, and Tyler, do prepare and bring in the same.

Mr. Taylor (of Caroline), reported, from the committee to whom the resolutions respecting the extension of the boundary line, between this State and North Carolina were referred, that the committee had, according to order, had the said resolutions under their consideration, and made no amendment thereto.

The said resolutions were severally twice read, and agreed to by the House, as followeth:

The General Assembly of Virginia having at a former session proposed to the Assembly of the neighboring Commonwealth of North Carolina, to pass mutual laws for securing real property to the owners, whether claimed by title of record or actual settlement, who on running the late boundary line, might be found not to be in the State they settled under; and wishing to establish a principle for abolishing all local distinctions between States in one union, where citizenship is, or ought to be reciprocal, have observed with great pleasure, that the Legislature of North Carolina have, in part, closed with their proposition, by passing a law in October, 1779, for the purpose of establishing titles by actual settlement. But, as by a subsequent law the operation of the first act is suspended until their next session: in order to do justice between patentees under this government and mere actual settlers claiming the same land; as it is doubtful whether the said patentees are in the said first law provided for; as a speedy decision of the matter, would quiet the minds of men immediately interested therein, which it is hoped the Assembly of North Carolina will give at their next session; and that they may have all necessary information on the subject:

*Resolved*, therefore, That it be represented to the Assembly of North Carolina, that there were under the regal government several modes of gaining a title to lands, none of which became complete, except by the obtaining a patent written on parchment, and signed by the Governor, for the time being; and that a claim to unappropriated lands, was only supportable between the time of entry and the time of obtaining such patent; after which, the title of the patentee became indefeasible, unless by another patent of prior date: that no title by settlement was recognized under the said former government, such title being first established by a resolution of Convention, of the 24th day of May, 1776, which declared, that all persons settled on any unlocated or unappropriated lands to which there was none other just claim, should have the pre-emption or preference in the grant of such lands, but that this resolution could never have retrospect so as to defeat prior patentees, and thus prove so injurious to fair purchasers; neither can lands before patented come within the description of unlocated or unappropriated.

This Assembly find themselves therefore impelled, by every motive of law and justice, warmly to solicit the Assembly of North Carolina to establish the several titles to lands under their former proposition; and must also inform

the said Assembly, that patentees, and purchasers under them, have a right by the laws of this State, to a preference to all other claims; and that a deprivation of this right would involve several fair and bona fide purchasers in unmerited loss, since they could never have foreseen that which was thought to be impossible, to wit: that a title under an express patent might be defeated. They will further observe also, that a certificate from the register of the Land Office, is the legal mode of fixing the authenticity of patents. The Assembly of Virginia, again profess their willingness on being informed of the ultimate determination of the Assembly of North Carolina, to meet them on the most liberal ground, and to do every thing on their part that right may take place herein.

*Resolved*, That copies of the foregoing resolution be transmitted by the Governor to his excellency the Governor of North Carolina, and to the Speaker of the Assembly.

*Ordered*, That Mr. Lyne do carry the resolutions to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The House being informed that Mr. Joseph Jones, a member for the county of Dinwiddie, attended in custody of the serjeant at arms,

*Ordered*, That the said Joseph Jones be admitted to his seat, on paying fees.

A message from the Senate by Mr. Francis Lightfoot Lee:

MR. SPEAKER,—The Senate have agreed to the bill, "to authorise the citizens of South Carolina and Georgia to remove their slaves into this State," with an amendment; to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to Adam Brown. And then he withdrew.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the treasurer be required to forbear receiving money for the purchase of any waste or unappropriated lands, except upon certificate of settlement or pre-emption rights, until the further order of the General Assembly therein.

*Ordered*, That Mr. George Mason do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the bill, "to vest certain escheated lands in the county of Kentucky, in trustees for a public school," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

*Ordered*, That Mr. Nicholas Cabell have leave to be absent from the service of this House, until Friday next.

The Speaker laid before the House a letter from the Governor, enclosing several others from General Washington, and the committees of co-operation, respecting the state of the army; which were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

#### THURSDAY, July 6, 1780.

Mr. William Watkins reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined several others, and found them to be truly enrolled.

*Ordered*, That Mr. William Watkins do carry the bills to the Senate for their inspection.

The House proceeded to consider the amendments of the Senate, to the bill "to authorise the citizens of South Carolina and Georgia, to remove their slaves into this State;" and the same being read were agreed to.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

The House proceeded to consider the amendments of the Senate, to the bill "to vest certain escheated lands in the county of Kentucky, in trustees for a public school;" and the same being read were agreed to.

*Ordered*, That Mr. Todd do acquaint the Senate therewith.

The House proceeded to consider the amendments of the Senate, to the bill "to repeal the act, establishing a Board of War;" and one other act, for "establishing a Board of Trade; and for appointing a commissioner of the navy, a commissary of military stores, and a commercial agent;" and the same being read were agreed to.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A message from the Senate by Mr. Du-Val:

MR. SPEAKER,—The Senate have agreed to the bill, “for giving more adequate wages to scouts.” And then he withdrew.

A bill, “declaring what shall be a lawful marriage,” was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

*Ordered*, That leave be given to bring in a bill, “to enable the Governor to provide a laboratory and proper magazines for the reception of arms, ammunition, and other public stores;” and that Mr. Fleming do prepare and bring in the same.

On a motion made,

*Ordered*, That the fee to be paid by every member of this House to the serjeant at arms, for being taken into custody, be hereafter increased to one hundred dollars.

An engrossed bill, “to suspend in part the operation of the act, ‘concerning escheats and forfeitures from British subjects, and for other purposes,’” was read the third time.

*Resolved*, That the bill do pass; and that the title be, “an act to suspend in part the operation of the act, “concerning escheats and forfeitures from British subjects, and for other purposes.”

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, “for giving more permanent salaries to the Governor, the Council, and to the other officers of State,” was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, “an act to give more permanent salaries to the Governor, the Council, and to the other officers of State.”

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill “to revise the tender law;” and that Messrs. Tazewell, Gordon, Mason and Tyler, do prepare and bring in the same.

A motion was made, that the House do come to the following resolution:

Whereas, it is necessary in the present great crisis to make the most powerful efforts for resisting with efficacy the destructive designs of the common enemy, and such indispensable efforts may be impeded and interrupted, if the fullest confidence in the attachment of those who constitute the legislature does not prevail:

*Resolved*, That every member of the General Assembly shall give an unequivocal proof of his uniform and steady determination to support and maintain the cause of America and the independence of his country, by taking the following oath or affirmation, to wit: “I, A. B. do solemnly and sincerely declare and swear, or affirm, that the State of Virginia is, and of right ought to be, a free, sovereign and independent State; and I do forever renounce and refuse all allegiance, subjection and obedience to the King or Crown of Great Britain. And I do further swear (or solemnly, sincerely and truly declare and affirm), that I never have, since the Declaration of Independence, directly or indirectly, aided, assisted, abetted, or in anywise countenanced the King of Great Britain, his generals, fleets or armies, or their adherents, in their claim upon these United States; and that I have ever since the Declaration of the Independence thereof, demeaned myself as a faithful citizen and subject of this or some one of the United States, and that I will at all times maintain and support the freedom, sovereignty and independence thereof.” Which oath shall be administered by the Speaker of either House to the members of each, on the day after this resolution shall have passed, and in the presence of the respective Houses assembled: each of the said Speakers having previously taken the said oath before the Governor. And such members as may not be in town to take the oath in manner before directed, shall take the same in the court of his county, at the next court to be held after this resolve shall reach such members, and produce a certificate thereof from the clerk of the court to the next meeting of the General Assembly.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House *aemine contra dicente*.

*Ordered*, That Mr. Lyne do carry the resolution to the Senate, and desire their concurrence.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their further consideration the petition of Isaac Ramsbottom, to them recommended, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the said Isaac Ramsbottom, praying that an allowance may be made him for his support, in consideration of a wound which he received in one of his legs, while a soldier in the continental service, is reasonable; and that the petitioner ought to be allowed the sum of one hundred pounds for his present relief.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence:

A message from the Senate by Mr. Du-Val:

MR. SPEAKER,—The Senate have agreed to the resolutions respecting the extension of the boundary line between this State and North Carolina. And then he withdrew.

*Ordered*, That the committee of Ways and Means, to whom it was referred to bring in a bill or bills, on the petitions of the merchants, be discharged therefrom; and that Messrs. Zane, Richard Henry Lee, and Mason, do prepare and bring in the same.



Mr. M'Dowell reported, from the committee to whom the "bill for dissolving several vestries, and electing overseers of the poor" was committed, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have examined several enrolled bills, and find them to be truly enrolled, and they are signed by their Speaker. And then he withdrew.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed, *nemine contra dicente*, to the resolution prescribing a test oath, to be taken and subscribed by the members of the General Assembly. And then he withdrew.

Mr. Tazewell reported, according to order, the amendments made by the committee of the whole House, to the "bill for speedily recruiting the quota of this State for the continental army;" and he read the said amendments in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bill "for putting the eastern frontier of the Commonwealth into a posture of defence," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

### FRIDAY, July 7, 1780.

The House being informed that Mr. William Reynolds, a member for the county of York, attended in custody of the serjeant at arms,

*Ordered*, That the said William Reynolds be admitted to his seat, on paying fees.

The Speaker laid before the House a certificate of his having taken the oath prescribed by the joint resolution of both Houses of yesterday, in the words following:

VIRGINIA, to wit:

The Honorable Benjamin Harrison, Speaker to the House of Delegates, this day took before me the oath prescribed by the joint resolution of both Houses of Assembly, of the 6th instant. Given under my hand, this 7th day of July, 1780.

THOMAS JEFFERSON.

Which was read, and ordered to lie on the table.

The Speaker then administered the oath prescribed by the said resolution to the following members of this House, to wit: Thomas Evans, Thomas Bailey, Nicholas Lewis, Isaac Davis, John Pride, Everard Meade, Nicholas Cabell, Hugh Rose, John Talbot, Adam Stevens, Moses Hunter, James Wall, John Cabell, John Wood, Thomas Lowry, John Taylor of Caroline, John Tyler, William Fleming, John Mayo, Joel Watkins, John Watkins, George Carrington, Beverley Randolph, French Strother, Henry Hill, Joseph Jones, William Watkins, George Wray, John Edmondson, George Mason, Martin Pickett, John P. Custis, Charles Chilton, George Thompson, Isaac Zane, Thomas Smith, Thomas Underwood, Stephen Sampson, Archer Mathews, James Reed, Richard Chapman, Nathaniel Wilkinson, Turner Southall, Peter Saunders, William Norvell, James Innes, Samuel Hardy, John Todd, George Lyne, Landon Carter, Carter Braxton, John H. Carter, Philip Taliaferro, William Ball, Francis Peyton, Josias Clapham, Richard Anderson, Thomas Johnson, John Garland, Samuel Goode, Thomas Moore, James Chew, Robert Sayres, Richard Baker, Armistead Russell, John P. Posey, Henry Guy, John Gordon, Zachary Burnley, Littleberry Mosby, William Mayo, jun. Robert Lawson, James Field, Bolling Starke, Lynaugh Helm, Samuel M'Dowell, Andrew Moore, John Nalle, John Rogers, John Taylor of Southampton, Mann Page, jun. William Fitzhugh, Cole Digges, Richard Lee, Richard Henry Lee, Aaron Lucas, William Reynolds, and Henry Tazewell.

Mr. Fleming presented, according to order, a bill "to enable the Governor to provide a laboratory and proper magazines for the reception of arms, ammunition, and other public stores;" and the same was received, and read the first time, and ordered to be read a second time.

The Speaker signed the following enrolled bills:

An act, "for further continuing and amending an act, entitled 'an act, for appointing naval officers, and ascertaining their fees.'"

An act, "to amend the several acts of Assembly, respecting the inspection of tobacco;" also the resolution for ratifying and confirming the boundary line between Pennsylvania and Virginia."

Mr. Starke reported, from the committee of Propositions and Grievances, to whom the bill "for declaring what shall be a lawful marriage" was committed, that the committee had, according to order, had the said bill under their consideration, and made no amendments thereto.

*Ordered*, That the bill be engrossed and read the third time.

An engrossed bill, "for dissolving several vestries, and electing overseers of the poor;" was read the third time.

*Resolved*, That the bill do pass; and that the title be "an act, for dissolving several vestries, and electing overseers of the poor."

*Ordered*, That Mr. McDowell do carry the bill to the Senate, and desire their concurrence.

A bill, "to give further encouragement for apprehending deserters;" was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "to enable the Governor, to provide a laboratory and proper magazines for the reception of arms, ammunition, and other public stores;" was read the second time, and ordered to be engrossed, and read the third time.

*Ordered*, That the public printers be directed to strike off 80 copies of the act, "to empower the high sheriffs to proceed in a summary way against their deputies, and for other purposes."

An engrossed bill, "for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress, of the 18th of March last," was read the third time; and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress, of the 18th of March last."

*Ordered*, That Mr. Page do carry the bill to the Senate, and desire their concurrence.

Mr. Richard Henry Lee reported, from the committee appointed to confer with Col. Wood, that the committee had, according to order, conferred with that gentleman, and had agreed upon a report and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

The committee appointed to confer with Col. Wood, commandant at the post of Albemarle barracks, respecting the situation of that post, have, according to order, conferred with that gentleman, who represents that he took command in the month of February last, when he applied to the continental Board of War, desiring to know how the Convention troops were to be supported; that the President of the Board of War, acquainted him, that Congress had made a requisition to the executive of this State, to supply the said troops in future; that he made frequent representations to the Governor of their want of supplies: but from the emptiness of the treasury, he was furnished in a very disproportionate manner; that since the last of March, they have been under the necessity of wagoning all the provisions of meat from the town of Richmond, which has been so inadequate a supply, that from the beginning of May, there has been a deficiency of upwards of forty days allowance of meat; that the troops have been regularly supplied with the usual allowance of Indian meal since the 1st of April last; but he has great reason to apprehend, that even that will fail, unless the commissary be speedily furnished with money to make good his contracts; that the commissary and quarter master departments are so far in arrears to the people, that they can no longer obtain supplies on their credit; that desertion from the troops of Convention had, within the last three weeks prevailed so much, that one hundred and fifty-four of them had been apprehended; and that Col. Wood was informed by some of the Convention officers, that since Christmas, three hundred deserters had got safe to New York; he also represents that the people generally permit them to pass, there being no reward allowed for their apprehension.

That the officers will not be able to supply themselves with provisions (which they have hitherto done), unless they are permitted to retain their horses till they are about to leave the State; that the expense of supplying the post with provisions, according to the present state of the currency, will amount yearly to above 2,190,000*l*.

Whereupon, your committee have come to the following resolutions:

*Resolved*, That the Governor, with the advice of his Council, be empowered to extend the authority of the commissioners in such counties as he may think necessary, to take a sufficiency of live stock for the purpose of supplying the said post, until such time as it can be otherwise furnished; and to make payment for the same by certificates.

*Resolved*, That it be represented to Congress, that this State ought to have credit in the demand for money, and specifics, for whatever has been, or shall be furnished, for the support of the Convention troops.

*Resolved*, That a reward of 200 dollars be given to every person who shall apprehend any deserter from the Convention army, taken above 10 miles from the barracks, and who shall deliver him to the commanding officer at that post, or confine him in any county jail within this State; and that such deserter ought not to be exchanged or be suffered to leave the State, until the reward for apprehending him be fully repaid.

*Resolved*, That the officers of Convention be allowed to retain the horses at present in their possession, while they remain in this State; but that they be expressly prohibited from taking out of the State, any horses purchased or obtained by exchange, or otherwise, within the same.

*Resolved*, That the auditors be empowered to settle and make an allowance to Col. Wood, his reasonable expenses travelling to, remaining at, and returning from this place to his post.

*Ordered*, That the committee appointed to prepare and bring in a bill "for giving certain powers to the Governor and Council," do receive a clause or clauses pursuant to the first resolution.

*Ordered*, That Mr. Richard Henry Lee do carry the 2d, 3d, 4th and 5th resolutions to the Senate, and desire their concurrence.

The resolution from the committee for Courts of Justice, which lay on the table, was read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled an act, "for establishing the county of Illinois, and for the more effectual protection and defence thereof," which expired on the 24th day of December last, ought to be revived, and amended.

*Ordered*, That the committee for Courts of Justice, do prepare and bring in a bill or bills, pursuant to the said resolution.

An engrossed bill, "for speedily recruiting the quota of this State, for the continental army;" was read the third time, and the blanks therein filled up.

An engrossed clause was offered to be added to the said bill, by way of rider, "for enabling the Governor to procure proper returns of the drafts," to be raised by the said bill.

And the said clause was thrice read; and upon the question put thereupon, agreed to by the House, to be made part of the said bill, by way of rider.

*Resolved*, That the bill do pass; and that the title be, "an act, for speedily recruiting the quota of this State, for the continental army."

*Ordered*, That Mr. Page do carry the bill to the Senate, and desire their concurrence.

Mr. Page presented, according to order, a bill "for bringing to speedy and condign punishment the enemies of America;" and the same was received and read the first time, and ordered to be read a second time.

An engrossed bill, "declaring what shall be a lawful marriage," was read the third time.

*Resolved*, That the bill do pass; and that the title be "an act declaring what shall be a lawful marriage."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to enable the Governor to provide a laboratory and proper magazines for the reception of arms, ammunition, and other public stores;" was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act, to enable the Governor to provide a laboratory and proper magazines for the reception of arms, ammunition, and other public stores."

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

A bill, "for bringing to speedy and condign punishment the enemies of America," was read the second time; and ordered to be committed to a committee of the whole House, to-morrow.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "for giving more permanent salaries to the Governor, the Council, and the other officers of State," with several amendments, to which they desire the concurrence of this House; also, they have agreed to the bill "to suspend in part the operation of the act, 'concerning escheats and forfeitures from British subjects, and for other purposes;' also, they have agreed to the resolution for paying a sum of money to Isaac Ramsbottom; and they have examined several enrolled bills, and find them to be truly enrolled, and they are signed by their Speaker. And then he withdrew.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bill "for putting the eastern frontier of the Commonwealth into a posture of defence," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, July 8, 1780.

The House proceeded to consider the amendments of the Senate, to the bill "for giving more permanent salaries to the Governor, the Council, and the other officers of State;" and the same being read, some were agreed to, and others disagreed to.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

The Speaker signed the following enrolled bills:

"An act, for establishing three new counties upon the western waters."

"An act, to repeal the act, establishing a Board of War;" and one other act, "establishing a Board of Trade, and authorizing the Governor and Council to appoint a commissioner of the navy, a commissioner of the war office, and a commercial agent."

"An act, to vest certain escheated lands in the county of Kentucky in trustees, for a public school."

"An act, for giving more adequate wages to scouts."

And "an act, to authorise the citizens of South Carolina and Georgia, to remove their slaves into this State."

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for putting the eastern frontier of the Commonwealth into a posture of defence;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fleming reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.



*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for bringing to speedy and condign punishment, the enemies of America;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made no amendment thereto.

A motion was made, and the question being put, that the said bill be engrossed and read the third time, It passed in the negative.

*Resolved*, That the bill be rejected.

*Ordered*, That the committee for Courts of Justice, to whom it was referred to prepare and bring in a bill, "to amend the act, for establishing the county of Illinois," do receive a clause or clauses, to authorise the officers and soldiers who reduced the Illinois, to survey the lands heretofore promised them.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, to whom the bill, "to give further encouragement for apprehending deserters" was committed, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

*Ordered*, That Mr. Aaron Lewis have leave to be absent from the service of this House, for the remainder of the session.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 9 o'clock.

## MONDAY, July 10, 1780.

An engrossed bill, "for putting the eastern frontier of the Commonwealth into a posture of defence," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act for putting the eastern frontier of the Commonwealth into a posture of defence."

*Ordered*, That Mr. Starke do carry the said bill to the Senate, and desire their concurrence.

*Ordered*, That Messrs. Mason and Page, be added to the committee to whom the letter from Mr. Thomas Smith was referred.

*Ordered*, That Mr. Wall have leave to be absent from the service of this House, for the remainder of the session.

*Resolved*, That the Governor, with the advice of Council, be requested to appoint some proper person to settle Col. William Aylett's accounts, and to make such allowance for the same as they may think adequate to the trouble.

*Ordered*, That Mr. Richard Henry Lee do carry the said resolution to the Senate, and desire their concurrence.

Whereas, several county lieutenants and commanding officers of the militia, have received sums of public money for enlisting soldiers, particularly under an act of Assembly, passed in the year 1778, entitled "an act for speedily recruiting the Virginia regiments, on continental establishment," and have failed to settle or render account thereof,

*Resolved*, That the auditors be desired to use the most speedy and effectual means for calling such county lieutenants or commanding officers to account, and compelling payment of the balances respectively due from them.

*Ordered*, That Mr. Mason do carry the said resolution to the Senate, and desire their concurrence.

Mr. Mason presented, according to order, a bill "for giving further powers to the Governor and Council;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Tazewell presented, according to order, a bill "to revise and amend the several tender laws which have been passed in this Commonwealth;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill "for emitting and funding a sum of money for supplying the present urgent necessities of this Commonwealth;" and that Messrs. Mason, Richard Henry Lee, Starke, Tazewell, Tyler, Lawson, Fleming, Hardy, Page, Strother, and Thomas Johnson, do prepare and bring in the same.

Mr. Starke reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, the memorial of Samuel Du-Val, William Ronald, William Du-Val, and Samuel Du-Val, jun. owners and managers of sundry coal pits in the neighborhood of the town of Richmond, to them referred; and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the memorial of the said Samuel Du-Val, William Ronald, William Du-Val, and Samuel Du-Val, jun. praying that such a number of wagons and teams as may be found to be essentially necessary in the transportation of coal from the said pits, may be exempted from any kind of impressment, is reasonable; and that his Excellency the Governor, be requested to forbid in future, impressments of such, and

so many wagons and teams, as may be actually employed by the said memorialists, in the transportation of coal from their respective pits, agreeable to the following allotments, to wit: the said Samuel Du-Val, five wagons and teams; the said William Ronald ten wagons and teams; and the said William Du-Val and Samuel Du-Val, jun. eight wagons and teams.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

Mr. Starke reported, from the committee appointed to examine the account of the Directors of the public buildings in Richmond, that the committee had, according to order, taken the same into their consideration, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, from the several documents and vouchers to them produced, that the said Directors have expended and paid to several workmen, employed in making the necessary repairs and alterations to the said temporary buildings, and for materials for the same, the sum of fourteen thousand and fifty-eight pounds seventeen shillings and two pence; and four thousand eight hundred and ninety pounds, in part for the prison.

It appears also to your committee, that the said Directors have paid a further sum of two thousand two hundred and forty-nine pounds eleven shillings and ninepence, for repairs made to the house at present occupied by the Governor, and to other houses of sequestered property reserved for public use, including therein two hundred and thirty-four pounds for tables for the use of the General Assembly, making in the whole twenty one thousand one hundred and ninety-eight pounds eight shillings and eleven pence: the last payment whereof appears to have been made 26th day of June, 1780.

It appears further to your committee, that when the prison is completed, there will be a considerable sum due to the builder: how much cannot be ascertained with precision, as it depends in some measure upon what may be the depreciation of money, though upon the best estimate that can be made at this time, it will probably require near ten thousand pounds, for that purpose.

*Resolved*, therefore, as the opinion of this committee, That the said Directors ought to have the liberty of drawing out of the treasury, from time to time any sum or sums of money, not exceeding ten thousand pounds; and that they render an account of the expenditure thereof, to the auditors of public accounts.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

The bill, "for giving further powers to the Governor and Council," was read the second time, and ordered to be committed to a committee of the whole House, immediately.

The House, accordingly resolved itself into a committee on the said bill; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fleming reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee on the said bill.

*Ordered*, That leave be given to bring in a bill "to amend the act, for the punishment of certain offences;" and that Messrs Lawson, Edmondson, Thomas Johuson, Starke, Pride, Tazewell, Nicholas Cabell, and Zane, do prepare and bring in the same.

A bill, "to revise and amend the several tender laws, which have been passed in this Commonwealth," was read the second time, and ordered to be committed to a committee of the whole House.

A motion was made, and the question being put, that this House do resolve itself into a committee on the said bill, to-morrow,

It passed in the negative.

A motion was made, and the question being put, that the said bill be committed to a committee of the whole House, on the second Monday in October next;

It was resolved in the affirmative,

Ayes 45,

Noes 34.

The names of the members, who voted in the affirmative are, Messrs. Thomas Bailey, John Pride, Isaac Davis, Hugh Rose, Moses Hunter, John Cabell, Thomas Lowry, John Tyler, John Mayo, French Strother, Henry Hill, George Wray, John Edmondson, Isaac Zane, Archer Mathews, Richard Chapman, Turner Southall, Peter Saunders, Samuel Hardy, George Lyne, Philip Taliaferro, Landon Carter, William Ball, John Hill Carter, Francis Peyton, Josias Clapham, Richard Anderson, John Garland, Samuel Goode, Thomas Moore, Richard Baker, Armistead Russell, John P. Posey, Henry Guy, Zachariah Buruley, Lynaugh Helm, Andrew Moore, William Nalle, John Taylor of Southampton, and Richard Lee.

The names of the members, who voted in the negative are, Messrs. Thomas Evans, Nicholas Lewis, Everard Meade, Nicholas Cabell, John Talbot, Adam Stephen, Joel Watkins, George Carrington, Beverley Randolph, George Mason, Martin Pickett, Charles Chilton, Thomas Smith, Thomas Underwood, Stephen Sampson, James Reid, Nathaniel Wilkinson, William Norvell, John Todd, Thomas Johnson, Thomas Newton, Littleberry Mosby, William Mayo, jun. Robert Lawson, James Field, Bolling Starke, Samuel McDowell, John Rogers, Mann Page, jun. Cole Digges, Richard Henry Lee, William Reynolds, and Henry Tazewell.

A message from the Senate by Mr. Jones:

MR. SPEAKER.—The Senate have agreed to the bill "to enable the Governor to provide a laboratory and proper magazines for the reception of arms, ammunition and other public stores." And then he withdrew.

A message from the Senate by Mr. Mathews:

MR. SPEAKER,—The Senate have agreed to the resolutions of this House, respecting the Saratoga Convention troops; they have also agreed to the bill, "for dissolving several vestries, and electing overseers of the poor," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolution respecting the mechanics at the Public Factory of arms in Fredericksburg; also, they do recede from their amendment disagreed to by this House, to the bill "for giving more permanent salaries to the Governor, the Council, and the other officers of State." And then he withdrew.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

## TUESDAY, July 11, 1780.

An engrossed bill, "to give further encouragement for apprehending deserters," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that the title be, "an act the more effectually to prevent and punish desertion."

*Ordered*, That Mr. Richard Henry Lee do carry the bill to the Senate, and desire their concurrence.

A message from the Senate, by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress, of the 18th of March last." And then he withdrew.

The House proceeded to consider the amendments of the Senate, to the bill "for dissolving several vestries, and electing overseers of the poor;" and the same being read, were amended and agreed to.

*Ordered*, That Mr. McDowell do acquaint the Senate therewith.

Mr. Starke presented, from the committee of Propositions and Grievances, according to order, a bill "to continue and amend the act, entitled 'an act for establishing the county of Illinois, and for the more effectual protection and defence of the same, and for other purposes,'" and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "for speedily recruiting the quota of this State for the continental army," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, some were agreed to, and others disagreed to.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

A message from the Senate by Mr. Mathews:

MR. SPEAKER,—The Senate have agreed to the amendments to the amendments to the bill, "for dissolving several vestries, and electing overseers of the poor;" they have also agreed to the resolution for settling the accounts of William Aylett, deceased, with several amendments, to which they desire the concurrence of this House.

Also, they have agreed to the resolution respecting certain delinquent county lieutenants, with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendments to the said resolutions; and the same being read, were agreed to.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "for putting the eastern frontier of the Commonwealth into a posture of defence," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, were agreed to.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

Mr. Tyler reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined several others, and found them to be truly enrolled.

*Ordered*, That Mr. Tyler do carry the bills to the Senate for their inspection.

*Ordered*, That the public printers be directed to print two copies of the act "for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last," for each county in this Commonwealth.

An account of John Harvie, Esq. register of the land office, was presented to the House, and read;

A motion was made, and the question being put that the said account be referred to the consideration of a committee;



It passed in the negative.

*Resolved*, That the said account be rejected.

A petition of Ambrose White was presented to the House, and read; setting forth, that he hath served three years in the continental army as a soldier, and hath a deficiency of clothing due him; that the field officers of his regiment are prisoners with the enemy, and he could only obtain a certificate for the clothing due him from the captain of the company in which he served, which has been judged insufficient; and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for giving further powers to the Governor and Council;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

A motion was made, and the question being put, that the clause in the said bill, for enforcing martial law in case of an invasion, be struck out, by way of amendment,

It passed in the negative—Ayes 23—Noes 53.

The names of the members who voted in the affirmative are, Messrs. Thomas Bailey, Hugh Rose, John Pride, Adam Stephen, Moses Hunter, Thomas Lowry, John Mayo, George Carrington, French Strother, John Edmondson, Isaac Zane, Thomas Smith, Landon Carter, William Ball, John Hill Carter, Samuel Goode, Thomas Moore, William Mayo, Robert Lawson, Lynaugh Helm, John Rogers, John Taylor, and William Reynolds.

The names of the members who voted in the negative are, Messrs. Thomas Evans, Nicholas Lewis, Isaac Davis, Everard Meade, Nicholas Cabell, John Talbot, John Wood, James Wall, Joseph Cabell, John Tyler, Joel Watkins, Wm. Fleming, Beverley Randolph, Henry Hill, George Mason, John P. Custis, Martin Pickett, Charles Chilton, George Thompson, Thomas Underwood, Stephen Sansom, Archer Mathews, James Reid, Richard Chapman, Nathaniel Wilkinson, Turner Southall, Peter Saunders, William Norvell, Samuel Hardy, John Todd, Francis Peyton, Josiah Clapham, Richard Anderson, Thomas Johnson, James Chew, Robert Sayres, Richard Baker, Armistead Russell, John P. Posey, Thomas Newton, Littleberry Mosby, James Field, Bolling Starke, James McDowell, Andrew Moore, William Nalle, Mann Page, jun. William Fitzhugh, Cole Digges, Richard Lee, Richard Henry Lee, and Henry Tazewell.

A message from the Senate by Mr. Pasteur:

MR. SPEAKER,—The Senate have agreed to the bill "the more effectually to prevent and punish desertion;" they have also agreed to the resolution respecting the directors of the public buildings in Richmond. And then he withdrew.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have examined and passed the accounts. They do insist on their amendments disagreed to by this House, to the bill "for speedily recruiting the quota of this State for the continental army." And then he withdrew.

*Ordered*, That the public printers be directed to print 160 copies of the bill "to revise and amend the several tender laws which have been passed in this Commonwealth;" and that the same be distributed by direction of the Governor and Council, for the public consideration.

*Resolved*, That the Governor and Council be desired, to direct proper persons forthwith, to collect and assort the papers and records of the general court, under the late government, and to provide a proper house in the town of Richmond, for their reception and safe keeping.

*Ordered*, That Mr. Mason do carry the said resolution to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, July 12, 1780.

The House proceeded to consider the amendments insisted on by the Senate and disagreed to by this House, to the bill "for speedily recruiting the quota of this State for the continental army;" and the same being read, some were receded from and others insisted on.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have examined several enrolled bills and find them to be truly enrolled, and they are signed by their Speaker. And then he withdrew.

The Speaker signed the following enrolled bills:

"An act to suspend in part the operation of the act 'concerning escheats and forfeitures from British subjects,' and for other purposes."

"An act for calling in and redeeming the money now in circulation and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last."

"An act to enable the Governor to provide a laboratory and proper magazines for the reception of arms, ammunition and other public stores."

"An act for giving more permanent salaries to the Governor, the Council, and the other officers of State."

An engrossed bill, "for giving further powers to the Governor and Council;" was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act for giving further powers to the Governor and Council."

*Ordered*, That Mr. Tazewell do carry the bill to the Senate, and desire their concurrence.

*Resolved*, That the delegates of this Commonwealth in Congress, be desired and expressly required regularly to transmit quarterly accounts of their respective expenses to the auditors, according to law. And that the auditors be directed to lay the same before every session of Assembly at its first meeting; and that they moreover lay before the next session of Assembly, a state of the accounts which any members of Congress have heretofore settled with their board, and also, of all sums of money which have been paid, by virtue of any warrant from the President of Congress, to any of the Virginia delegates or their order.

*Resolved*, also, That it be an instruction to the said delegates to collect from the continental treasury, exact accounts of all the several sums of money, which have at any time been paid or advanced to the delegates of this Commonwealth, or any of them, from the treasury of the United States, distinguishing for what particular purpose, or on what account such sums have been respectively paid or advanced, and transmit the same, authenticated and certified by the treasurer of the United States, to the Governor before the first day of October next, with a certificate also from the said treasurer of the United States, that such accounts contain the whole of the payments which have at any time been made at the treasury to any of the Virginia delegates or their order, that the same may be laid before the General Assembly; and that it be a further instruction to the said delegates to transmit to the Governor, before the first day of October next, an account, certified by themselves, of the expenditure of all public money heretofore entrusted to the Virginia delegates, as the same shall appear to them in the account book of such expenditures kept by the said delegates.

*Ordered*, That Mr. Mason do carry the resolutions to the Senate, and desire their concurrence.

*Ordered*, That the public printers be directed to strike 150 copies of the "act, for speedily recruiting the quota of this State, for the continental army."

A message from the Senate by Mr. Harrison:

*MR. SPEAKER*,—The Senate recede from their amendment disagreed to by this House, to the bill "for speedily recruiting the quota of this State for the continental army." And then he withdrew.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, several petitions to them referred, and agreed to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Ambrose White, setting forth, that he hath served three years in the continental army as a soldier, and hath a deficiency of clothing due him; that the field officers of his regiment are prisoners with the enemy, and he could only obtain a certificate for the clothing due to him from the captain of the company in which he served; which has been judged insufficient, and praying relief, is reasonable; and that the Auditors of public accounts be empowered to make him the usual allowance in money for a deficiency of clothing due him for the year 1777.

*Resolved*, that it is the opinion of this committee, That the petition of James Coleman, setting forth, that he was a soldier in Col. Buford's regiment, at the time he was defeated at the battle of Waxsaw; that he was taken prisoner after being inhumanly wounded; and in consequence of his wounds was admitted to his parole; that he is destitute of money and clothing; and praying to be relieved, is reasonable; and that the petitioner ought to be allowed the sum of one hundred and fifty pounds for his present relief.

*Ordered*, That Mr. Richard Lee do carry the resolutions to the Senate, and desire their concurrence.

A bill, "to continue and amend the act, entitled 'an act, for establishing the county of Illinois, and for the more effectual protection and defence of the same, and for other purposes,'" was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

*Resolved*, That the Rev. Miles Selden be allowed the sum of five hundred pounds per annum, for his services as ordinary of the public jail, to commence from the 25th day of March last, and to be paid him quarterly.

*Ordered*, That Mr. Southall do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the Virginia delegates to Congress, be informed that the people of this Commonwealth are alarmed at the omission of the yeas and nays in the monthly publication of the proceedings of Congress, as the publication of them best ascertains the conduct of their delegates in every important debate.

*Resolved*, That it be an instruction to the Virginia delegates in Congress, to use their best endeavors to have the yeas and nays on every important question, printed in the Journals of Congress, as formerly.

*Ordered*, That Mr. Stephen do carry the resolution to the Senate, and desire their concurrence.

Mr. Mason presented, according to order, a bill "for emitting and funding a sum of money for supplying the present urgent necessities of this Commonwealth;" and the same was received and read the first time, and ordered to be read a second time.

An account of Messrs. Dixon and Nicolson, the public printers, for printing the laws and journals, and other public services, was presented to the House, and read.

*Ordered*, That the said account be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill, "for emitting and funding a sum of money, for supplying the present urgent necessities of this Commonwealth;" was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### THURSDAY, July 13, 1780.

Mr. Starke reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined several others and found them to be truly enrolled.

*Ordered*, That Mr. Starke do carry the bills to the Senate, for their inspection.

Mr. Starke reported, from the committee of Propositions and Grievances, to whom the bill "to continue and amend the act, 'for establishing the county of Illinois, and for the more effectual protection and defence thereof'" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for emitting and funding a sum of money for supplying the present urgent necessities of this Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Francis Lightfoot Lee:

MR. SPEAKER,—The Senate have agreed to the resolutions containing certain instructions, to the delegates of this Commonwealth in Congress. And then he withdrew.

An engrossed bill, "to continue and amend the act, 'for establishing the county of Illinois, and for the more effectual protection and defence thereof,'" was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act, to continue and amend the act, 'for establishing the county of Illinois, and for the more effectual protection and defence thereof.'"

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have examined several other enrolled bills, and find them to be truly enrolled, and they are signed by their Speaker; they have also agreed to the bill, "for giving further powers to the Governor and Council," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, were amended and agreed to.

*Ordered*, That Mr. Page do acquaint the Senate therewith.

Mr. Tazewell presented, according to order, a bill "affixing penalties to certain crimes injurious to the independence of America, but less than treason, and repealing the act, 'for the punishment of certain offences,'" and the same was received and read the first time, and ordered to be read a second time.

The Speaker laid before the House a letter from the Governor, respecting the procuring horses to re-mount the dragoons in Colonels White and Washington's corps; and the same was read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

Mr. Mason presented, according to order, a bill "to amend the act, 'for raising a supply of money for the use of the United States, and for other purposes,'" and the same was received and read the first time, and ordered to be read a second time.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the account of Messrs. Dixon and Nicolson, public printers, to them referred, and have come to a resolution thereupon, as follows:



*Resolved*, that it is the opinion of this committee, That the account of the said Messrs. Dixon and Nicolson, amounting to 14,400*l.* for printing the laws of the last session, 200 copies of the escheat law, 450 copies of the supply law, advertising an order of the Senate for electing the third class, and advertising the act "for reviving several public warehouses," is reasonable; and that the Auditors of public accounts be empowered to issue a warrant for the payment of the said sum of 14,400*l.*

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A bill, "affixing penalties to certain crimes injurious to the independence of America, but less than treason, and repealing the act, 'for the punishment of certain offences,'" was read the second time, and ordered to be committed to Messrs. Lawson, Edmondson, Thomas Johnson, Starke, Pride, Tazewell, Nicholas Cabell, and Zane.

A bill, "to amend the act, 'for raising a supply of money for the use of the United States, and for other purposes,'" was read the second time, and amended.

*Ordered*. That the bill, with the amendments, be engrossed and read the third time.

Mr. Tazewell reported, from the committee to whom the bill, "affixing penalties to certain crimes injurious to the independence of America, but less than treason; and repealing the act, 'for the punishment of certain offences'" was committed, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

*Resolved*, That those patriotic gentlemen who have advanced money to the public, in consequence of the Governor's requisition in February last, and who are willing to wait for payment till the circumstances of the Commonwealth renders it more convenient, shall be secured and indemnified from any loss by depreciation, and the auditors of public accounts are directed in settling and discharging the said loans to observe the same equitable rule as is prescribed by an act passed this present session of Assembly, entitled "an act, for procuring a supply of provisions and other necessities for the army."

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

The Speaker signed the following enrolled bills:

An act, "to authorize the citizens of South Carolina and Georgia, to remove their slaves into this State."

An act, "for dissolving several vestries, and electing overseers of the poor."

An act, "for putting the eastern frontier of this State into a posture of defence."

An act, "to give further encouragement for apprehending deserters."

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for emitting and funding a sum of money for supplying the present urgent necessities of this Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fleming reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Richard Henry Lee reported, from the committee to whom the letter from Mr. Thomas Smith was referred, that the committee had, according to order, had the said letter under their consideration, and after conferring with Mr. Smith, had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

The committee appointed to confer with Thomas Smith, Esq. the agent for settling the accounts between this Commonwealth and the United States of America, have examined his method of proceeding therein, which appears to them to be the most probable means of equitably settling the said accounts, and is as follows:

He has drawn two accounts, one containing those articles only, which are indisputably chargeable to the United States; the other, including the military expenditures of every kind, which have been paid by this Commonwealth; so that hereafter, if the expenses incurred by any particular State, should be made a general charge against the United States, Virginia, as she will in that case be burthened with a proportionate part of the expenses of the other States, may also claim a right of having her military expenditures thrown into the general account; the committee are also of opinion, that it is necessary to have the vouchers for the several articles charged to the United States carefully collected, numbered, filed, and preserved, which service cannot be performed by Mr. Smith, without some person to assist him.

*Resolved*, therefore, That Mr. Smith be empowered at the public expense, to appoint a clerk to assist him in the speedily settling and adjusting the accounts between this Commonwealth and the United States; and that the Governor with the advice of Council, be required to allow him such further assistance, as the exigencies of the case may require.

*Ordered*, That Mr. Richard Henry Lee do carry the resolution to the Senate, and desire their concurrence.

An engrossed bill, "for emitting and funding a sum of money for supplying the present urgent necessities of this Commonwealth," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act, for emitting and funding a sum of money for supplying the present urgent necessities of this Commonwealth."

*Ordered*, That Mr. Mason do carry the bill to the Senate, and desire their concurrence.

*Resolved*, That the Governor be, and he is hereby desired to cause Governor Hamilton and the other prisoners

of war, at this time confined in the jail of Williamsburg, to be immediately removed to some place of greater security.

*Ordered*, That Mr. Tazewell do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That the following allowances be made to the officers of the General Assembly:

To the Rev. Miles Selden, chaplain	-	-	-	-	£ 800
Mr. John Beckley, clerk of the House of Delegates	-	-	-	-	9,000
Mr. William Drew, clerk of the Senate	-	-	-	-	4,500
Mr. Edmund Pendleton, clerk of the committee of Privileges and Elections and Grievances	-	-	-	-	3,000
Mr. Adam Craig, clerk to the committees for Religion, Courts of Justice and Trade,	-	-	-	-	3,000
Mr. Hartwell Cocke, clerk to the committee of Ways and Means	-	-	-	-	1,800
Mr. Freeman Eppes, sergeant at arms to the House of Delegates,	-	-	-	-	3,000
Mr. William Peirce, sergeant at arms to the Senate	-	-	-	-	3,000
William Drinkard, William Hicks, John Creagh, and Daniel Hicks, door-keepers to the House of Delegates, each	-	-	-	-	2,000
Thomas Paul and William Hicks, jun. door-keepers to the Senate, each	-	-	-	-	2,000
John Milbank, for taking care of and keeping clean the public buildings,	-	-	-	-	600

*Resolved*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, July 14, 1780.

An engrossed bill, "to amend the act, 'for raising a supply of money for the use of the United States, and for other purposes,'" was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act, to amend the act, 'for raising a supply of money for the use of the United States, and for other purposes.'"

*Ordered*, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "affixing penalties to certain crimes injurious to the independence of America, but less than treason, and repealing the act, for punishing certain offences," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act affixing penalties to certain crimes injurious to the independence of America, but less than treason."

*Ordered*, That Mr. Lawson do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Francis Lightfoot Lee:

MR. SPEAKER,—The Senate have agreed to the bill, "for emitting and funding a sum of money for supplying the present urgent necessities of this Commonwealth." And then he withdrew.

Mr. Carrington reported, from the committee appointed to settle the accounts of Messrs. Ballendine and Reeveley with the public, that the committee had according to order, examined and settled the same, and agreed to a report thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

The committee appointed have had several meetings to adjust and settle the accounts of the Commonwealth with Messrs. John Ballendine and John Reeveley, respecting the Buckingham furnace; and also the accounts with John Ballendine, respecting the dam and canal at Westham.

The accounts for the Buckingham furnace they have settled, and find the quantity of pig iron due to the Commonwealth, to be 760 tons, 6 quarters, one hundred and eighteen pounds.

The accounts respecting the dam and canal, they have not settled, nor do they see any prospect of doing it during this present session of Assembly. It is therefore referred to the Assembly to make such order therein, as to them shall seem proper. The commissioners having not settled any accounts respecting the said dam and canal, with John Ballendine, since July 13, 1779, can only refer to the settlement then made, on which there was a balance of 2,051l. 2s. 5 1-2d. due to the public from the said Ballendine.

*Resolved*, That the Governor, with the advice of the Council, be desired to pursue such methods as he shall judge best to expedite the recovery of the balance, as appears to be due to this Commonwealth from John Ballendine and John Reeveley, and for the further settlement of any account the said John Ballendine shall have against the public respecting the dam and canal at Westham; and should any balance appear in his favor, to be placed to the credit of his account with the Buckingham furnace.

*Ordered*, That Mr. Carrington do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Harrison:



MR. SPEAKER,—The Senate have agreed to the bill, “to continue and amend the act, ‘for establishing the county of Illinois, and for the more effectual protection and defence thereof, and for other purposes,’ with an amendment, to which they desire the concurrence of this House. And then he withdrew.

Whereas, by the act passed this present session of Assembly, entitled “an act for emitting and funding a sum of money for supplying the present urgent necessities of this Commonwealth, a tax or duty of one penny per gallon, from and after the 1st day of October in the present year, and during each of the three succeeding years, is directed to be paid by the importer or importers, upon each and every gallon of rum or other spirits imported into this Commonwealth, either by land or water;” and the naval officers are empowered and required by the said act to collect the said tax or duty on rum and other spirits that shall be imported into this Commonwealth by water; and there being no allowance therein made to the naval officers for collecting and paying the said tax or duty to the treasurer:

Resolved, That the respective naval officers shall be allowed by the auditors of public accounts on their settlements with them for the said tax or duty on rum and other spirits, five per cent. on all monies collected and paid into the treasury by them, on the said tax or duty.

Ordered, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Francis Lightfoot Lee:

MR. SPEAKER,—The Senate have agreed to the bill, “to amend the act ‘for raising a supply of money for the use of the United States, and for other purposes,’ with an amendment, to which they desire the concurrence of this House.

Also, they have agreed to the several resolutions of this House, for paying a sum of money to Messrs. Dixon and Nicolson; for the removal of Governor Hamilton; respecting money advanced to the public on loan; for paying a sum of money to James Coleman; respecting the settlement of the account of the Commonwealth with the United States, by Mr. Thomas Smith; and for making certain allowances to the officers of the General Assembly, with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The amendment to the bill, “to amend the act ‘for raising a supply of money for the use of the United States, and for other purposes’” was read and agreed to by the House.

Ordered, That Mr. Fleming do acquaint the Senate therewith.

The amendments to the resolution for making certain allowances to the officers of the General Assembly, were read and agreed to by the House.

Ordered, That Mr. Richard Lee do acquaint the Senate therewith.

A message from the Senate by Mr. Rutherford:

MR. SPEAKER,—The Senate have agreed to the several resolutions of this House, respecting the records of the General Court, and for paying certain sums of money to the Rev. Miles Selden and to Ambrose White. And then he withdrew.

Ordered, That the public printers be directed to print twenty copies of the act “for putting the eastern frontier of the Commonwealth into a posture of defence.”

Mr. Fleming reported, from the committee of Courts of Justice, that the committee had, according to order, had under their consideration the memorial of John Dixon, to them referred, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk’s table, where the same was again twice read and agreed to by the House, as followeth:

Resolved, that it is the opinion of this committee, That the escheator of Culpeper county be directed to stay the sale of the lands in his county, claimed by the said John Dixon, and mentioned in the said memorial, which have been escheated in the name of Susanna Aune Godwin, until the said Dixon’s right thereto can be determined.

Ordered, That Mr. Fleming do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate do adhere to their amendment disagreed to by this House, to the bill, “to continue and amend the act, ‘for establishing the county of Illinois, and for the more effectual protection and defence thereof, and for other purposes.’” And then he withdrew.

The said amendment was read, and the question being put that this House doth recede from their disagreement thereto,

It was resolved in the affirmative.

Ordered, That Mr. Starke do acquaint the Senate therewith.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill, “affixing penalties to certain crimes injurious to the independence of America, but less than treason, and repealing the act ‘for punishing certain offences.’” And then he withdrew.

A motion was made, and the question being put, that the House do come to the following resolution:

Resolved, That the clerk of the General Court be permitted to draw quarterly for his annual salary of ten thousand weight of tobacco, allowed for ex-officio and public services, and that the auditors of public accounts be desired to settle such allowance at half the average price of crop tobacco, as settled by the grand jury at the last period of their sitting, previous to such settlement, and issue their warrant for the same on the treasurer, who is hereby desired to pay the same out of any public money in his hands.

It passed in the negative.



*Resolved*, That the resolution be rejected.

*Resolved*, That when this House adjourns, it will adjourn until the third Monday in October next.

*Ordered*, That Mr. Tazewell do acquaint the Senate therewith.

*Resolved*, That the public printer be directed to publish the act, entitled "an act affixing penalties to certain crimes injurious to the independence of America, but less than treason, and repealing the act 'for the punishment of certain offences,'" for three weeks successively, in the Virginia Gazette, and that he also print one copy of the said act for every county in this Commonwealth, which the Executive is desired to transmit by express to the sheriff of every county in the State, who is hereby directed to publish the said act at the court house door of his county, on every court day, between the hours of one and three of the clock in the afternoon, for six successive court days after his receipt of the act, to the end, that the offences therein declared, and the penalties affixed, may be speedily and duly promulgated.

*Ordered*, That Mr. Richard Henry Lee do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution respecting Messrs. Ballendine and Reeveley, with several amendments, to which they desire the concurrence of this House.

Also, they have agreed to the resolutions on the petition of John Dixon, and respecting the fees of the naval officers. And then he withdrew.

The amendments to the resolution respecting Messrs. Ballendine and Reeveley, were read and agreed to by the House.

*Ordered*, That Mr. Carrington do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, again had the state of the Commonwealth under their consideration, and agreed to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, That the Governor and Council be desired to appoint one or more purchasers in such counties as they may think proper, to procure horses, to remount the dragoons in Colonels White and Washington's corps, upon the best terms they can, granting certificates for the value of the horses so purchased; which certificates the General Assembly will, at their next session, make provision for the speedy payment of, to the respective holders, together with an interest thereupon of five per centum from the time of purchase: Provided, that such purchases shall not exceed the number of three hundred horses, including those now belonging to the said corps and those which may have been already purchased under any former resolution of Assembly.

*Ordered*, That Mr. Tazewell do carry the resolution to the Senate, and desire their concurrence.

Mr. Starke reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined several others, and found them to be truly enrolled.

*Ordered*, That Mr. Starke do carry the bills to the Senate for their inspection.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have examined several other enrolled bills, and find them to be truly enrolled, and they are signed by their Speaker.

They have also agreed to the resolutions respecting the purchase of horses for the dismounted dragoons of Colonels White and Washington's corps; and for promulgating the act "affixing penalties to certain crimes injurious to the independence of America, but less than treason, and repealing the act 'for punishing certain offences';" they are also satisfied with the day to which this House have expressed their intention to adjourn. And then he withdrew.

The Speaker signed the following enrolled bills:

"An act affixing penalties to certain crimes injurious to the independence of America, but less than treason, and repealing the act 'for punishing certain offences.'"

"An act to amend the act 'for raising a supply of money for the use of the United States, and for other purposes.'"

"An act to continue and amend the act 'for establishing the county of Illinois, and for the more effectual protection and defence thereof, and for other purposes.'"

"An act for emitting and funding a sum of money for supplying the present urgent necessities of this Commonwealth."

And then the House adjourned until the third Monday in October next.

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# JOURNAL

OF THE

## HOUSE OF DELEGATES

OF THE

COMMONWEALTH OF VIRGINIA;

BEGUN AND HELD IN THE TOWN OF RICHMOND.

*In the County of Henrico,*

*ON MONDAY, THE SIXTEENTH DAY OF OCTOBER, IN THE YEAR OF OUR  
LORD ONE THOUSAND SEVEN HUNDRED AND EIGHTY.*

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RICHMOND :

PRINTED BY THOMAS W. WHITE, OPPOSITE THE BELL-TAVERN.

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1827.



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**JOURNAL**  
OF THE  
**HOUSE OF DELEGATES.**

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**GENERAL ASSEMBLY.**

*BEGUN* and held at the town of *Richmond*, in the county of *Henrico*, on *Monday*, the *16th* day of *October*, in the year of our Lord one thousand seven hundred and eighty, in the buildings provided by the *Public Directors*, pursuant to the Act “for the removal of the *Seat of Government*.”

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MONDAY, October 16, 1780.

The House met according to their adjournment, but there not being a sufficient number of members to proceed to business,

The House adjourned till to-morrow, 12 o'clock.

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TUESDAY, October 17, 1780.

The House met according to their adjournment, but there not being a sufficient number of members to proceed to business,

The House adjourned till to-morrow, 12 o'clock.

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WEDNESDAY, October 18, 1780.

The House met according to their adjournment, but there not being a sufficient number of members to proceed to business,

The House adjourned till to-morrow, 12 o'clock.

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THURSDAY, October 19, 1780.

The House met according to their adjournment, but there not being a sufficient number of members to proceed to business,

The House adjourned till to-morrow, 12 o'clock.

FRIDAY, October 20, 1780.

The House met according to their adjournment, but there not being a sufficient number of members to proceed to business,

The House adjourned till Monday, 12 o'clock.

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MONDAY, October 23, 1780.

The House met according to their adjournment.

A member returned on a new writ, having taken the oaths appointed by law, took his seat in the House;

But the number not being sufficient to proceed to business,

The House adjourned till to-morrow morning, 10 o'clock.

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TUESDAY, October 24, 1780.

The House met according to their adjournment.

Another member having taken the oaths appointed by law, took his seat in the House.

*Ordered*, That the House be called over immediately.

The House being accordingly called over, the names of the members who failed to appear were noted; and the names of those who made default being again called over, some were excused on account of sickness, employment in the service of the State elsewhere, and other justifiable avocations.

*Ordered*, That the serjeant at arms attending this House, take into his custody Zachariah Johnston, member for the county of Augusta; Adam Stephen and Moses Hunter, members for the county of Berkeley; John Wood, member for the county of Botetourt; James Wall, member for the county of Brunswick; John Mayo, member for the county of Chesterfield; John Edmondson, member for the county of Essex; John Parke Custis, member for the county of Fairfax; Thomas Napier and George Thompson, members for the county of Fluvannah; Isaac Zane and Joseph Holmes, members for the county of Frederick; Archer Mathews, member for the county of Greenbrier; Nathaniel Wilkinson, member for the county of Henrico; Landon Carter, member for the county of King George; John Hill Carter, member for the county of Lancaster; Francis Peyton and Josiah Clapham, members for the county of Loudoun; Richard Anderson and Thomas Johnson, members for the county of Louisa; Robert Munford, member for the county of Mecklenburg; Thomas Moore, member for the county of Middlesex; Armistead Russell and John Price Posey, members for the county of New Kent; William Lee, member for the county of Northumberland; Zachariah Burnley, member for the county of Orange; Benjamin Lankford, member for the county of Pittsylvania; William Mayo, jun. member for the county of Powhatan; William Bibb, member for the county of Prince Edward; John Hooe, member for the county of Prince William; Andrew Moore, member for the county of Rockbridge; William Nalle and Benjamin Harrison, members for the county of Rockingham; John Tipton and Thomas Allen, members for the county of Shenandoah; John Rogers, member for the county of Southampton; Bailey Washington, member for the county of Stafford; and Richard Henry Lee, member for the county of Westmoreland.

The House being informed, that Mr. Nathaniel Wilkinson, one of the members for the county of Henrico; and Mr. John Rogers, one of the members for the county of Southampton, attended in custody of the serjeant at arms,

*Ordered*, That the said Nathaniel Wilkinson and John Rogers, be admitted to their seats, on paying fees.

And then the House adjourned till to-morrow, 12 o'clock.

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WEDNESDAY, October 25, 1780.

The House being informed, that Mr. Landon Carter, one of the members for the county of King George; Mr. John Hill Carter, one of the members for the county of Lancaster; and Mr. Bailey Washington, one of the members for the county of Stafford, attended in custody of the serjeant at arms.

*Ordered*, That the said Landon Carter, John Hill Carter, and Bailey Washington, be admitted to their seats, on paying fees.

The House being informed, that Mr. John Mayo, one of the members for the county of Chesterfield; Mr. Thomas Johnson, one of the members for the county of Louisa; Mr. Robert Munford, one of the members for the county of Mecklenburg; Mr. Benjamin Lankford, one of the members for the county of Pittsylvania; Mr. William Mayo, jun. one of the members for the county of Powhatan; and Mr. Richard Henry Lee, one of the members for the county of Westmoreland, attended in custody of the serjeant at arms; and that there was good cause to excuse their absence when the House was called over on yesterday,



*Ordered*, That the said John Mayo, Thomas Johnson, Robert Munford, Benjamin Lankford, William Mayo, jun. and Richard Henry Lee, be admitted to their seats, without paying fees.  
There not being a sufficient number of members to proceed to other business,  
The House adjourned till to-morrow, 12 o'clock.

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THURSDAY, October 26, 1780.

The House being informed that Mr. William Nalle, one of the members for the county of Rockingham, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Tuesday last,

*Ordered*, That the said William Nalle be admitted to his seat, without paying fees.  
There not being a sufficient number of members to proceed to other business,  
The House adjourned till to-morrow, 12 o'clock.

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FRIDAY, October 27, 1780.

The House being informed that Mr. Francis Peyton, one of the members for the county of Loudon, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Tuesday last,

*Ordered*, That the said Francis Peyton be admitted to his seat, without paying fees.

The House being informed that Mr. Benjamin Harrison, one of the members for the county of Rockingham, attended in custody of the serjeant at arms,

*Ordered*, That the said Benjamin Harrison be admitted to his seat, on paying fees.  
There not being a sufficient number of members to proceed to other business,  
The House adjourned till to-morrow morning, 10 o'clock.

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SATURDAY, October 28, 1780.

The House being informed that Mr. William Lee, one of the members for the county of Northumberland, attended in custody of the serjeant at arms,

*Ordered*, That the said William Lee be admitted to his seat, on paying fees.

The House being informed that Mr. James Wall, one of the members for the county of Brunswick, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Tuesday last,

*Ordered*, That the said James Wall be admitted to his seat, without paying fees.  
There not being a sufficient number of members to proceed to other business,  
The House adjourned till Monday, 12 o'clock.

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MONDAY, October 30, 1780.

The House being informed that Mr. Thomas Napier, one of the members for the county of Fluvanna; Mr. Thomas Moore, one of the members for the county of Middlesex; and Mr. Andrew Moore, one of the members for the county of Rockbridge, attended in custody of the serjeant at arms,

*Ordered*, That the said Thomas Napier, Thomas Moore, and Andrew Moore, be admitted to their seats, on paying fees.

A member returned on a new writ, having taken the oaths appointed by law, took his seat in the House.

On a motion made,

*Ordered*, That the House be called over immediately.

The House being accordingly called over, the names of the members who failed to appear were noted; and the names of those who made default being again called over, some were excused on account of sickness, employments in the service of the State elsewhere, and other justifiable avocations.

*Ordered*, That the serjeant at arms attending this House, take into his custody Zachariah Johnson, member for the county of Augusta; Adam Stephen and Moses Hunter, members for the county of Berkeley; John Wood, member for the county of Botetourt; John Tyler, member for the county of Charles City; John Edmondson and Ro-

bert Beverley, members for the county of Essex; John Parke Custis, member for the county of Fairfax; George Thompson, member for the county of Fluvannah; Isaac Zane and Joseph Holmes, members for the county of Frederick; Thomas Underwood, member for the county of Goochland; Archer Matthews, member for the county of Greenbrier; John Todd and Stephen Trigg, members for the county of Kentucky; Landon Carter, member for the county of King George; Carter Braxton, member for the county of King William; William Ball and John Hill Carter, members for the county of Lancaster; Richard Anderson, member for the county of Louisa; James Chew and James Neale, members for the county of Monongalia; Robert Sayres and Daniel Trigg, members for the county of Montgomery; Armistead Russell, member for the county of New Kent; Samuel McCulloch and Ebenezer Zane, members for the county of Ohio; Zachariah Burnley, member for the county of Pittsylvania; William Bibb, member for the county of Prince Edward; John Hooe, member for the county of Prince William; John Tipton and Thomas Allen, members for the county of Shenandoah.

There not being a sufficient number of members to proceed to other business,

The House adjourned till to-morrow, 12 o'clock.

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## TUESDAY, October 31, 1780.

The House being informed that Mr. Landon Carter, one of the members for the county of King George, attended in custody of the serjeant at arms,

*Ordered*, That the said Landon Carter be admitted to his seat, on paying fees.

The House being informed that Mr. John Hill Carter, one of the members for the county of Lancaster, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on yesterday,

*Ordered*, That the said John Hill Carter, be discharged out of custody, without paying fees.

There not being a sufficient number of members to proceed to other business,

The House adjourned till to-morrow, 12 o'clock.

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## WEDNESDAY, November 1, 1780.

The House met according to their adjournment; but there not being a sufficient number of members to proceed to business,

The House adjourned till to-morrow, 12 o'clock.

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## THURSDAY, November 2, 1780.

There not being a sufficient number of members to proceed to business;

The House adjourned till to-morrow, 12 o'clock.

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## FRIDAY, November 3, 1780.

The House being informed that Mr. John Tyler, one of the members for the county of Charles City, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Tuesday last,

*Ordered*, That the said John Tyler be admitted to his seat, without paying fees.

*Ordered*, That the House be called over immediately.

The House being accordingly called over, the names of the members who failed to appear were noted; and the names of those who made default being again called over, some were excused on account of sickness, employments in the service of the State elsewhere, and other justifiable avocations.

*Ordered*, That the serjeant at arms attending this House, take into his custody Zachariah Johnson, member for the county of Augusta; Adam Stephen and Moses Hunter, members for the county of Berkeley; John Wood, member for the county of Botetourt; John Edmondson and Robert Beverley, members for the county of Essex; John Parke Custis, member for the county of Fairfax; George Thompson, member for the county of Fluvanna; Isaac Zane and Joseph Holmes, members for the county of Frederick; Thomas Underwood, member for the county of Goochland; Archer Matthews, member for the county of Greenbrier; John Todd and Stephen Trigg, members for the county of Kentucky; Carter Braxton, member for the county of King William; Josiah Clapham, member

for the county of Loudoun; Richard Anderson, member for the county of Louisa; Robert Sayres and Daniel Trigg, members for the county of Montgomery; Armistead Russell, member for the county of New Kent; Zachariah Burnley, member for the county of Orange; John Hooe, member for the county of Prince William; John Tipton and Thomas Allen, members for the county of Shenandoah; and Henry Tazewell, member for the city of Williamsburg.

On a motion made,

*Ordered*, That the serjeant at arms attending this House, be authorised and empowered to send special messengers to take into custody wherever to be found, the bodies of the foregoing members; and Mr. Speaker is desired to issue his warrants accordingly.

There not being a sufficient number of members to proceed to other business,

The House adjourned till Monday, 12 o'clock.

### MONDAY, November 6, 1780.

The House being informed that Mr. Zachariah Burnley, one of the members for the county of Orange; Mr. Zachariah Johnson, one of the members for the county of Augusta; Mr. Carter Braxton, one of the members for the county of King William; and Mr. Henry Tazewell, member for the city of Williamsburg, attended in custody of the serjeant at arms,

*Ordered*, That the said Zachariah Burnley, Zachariah Johnson, Carter Braxton, and Henry Tazewell, be discharged out of custody, on paying fees.

The House being informed that Mr. Thomas Underwood, one of the members for the county of Goochland; Mr. John Hooe, one of the members for the county of Prince William; Mr. John Edmondson, one of the members for the county of Essex; Mr. Daniel Trigg, one of the members for the county of Montgomery; Mr. Armistead Russell, one of the members for the county of New Kent; and Mr. William Bibb, one of the members for the county of Prince Edward, attended in custody of the serjeant at arms; and that there was good cause to excuse their absence when the House was called on Tuesday last,

*Ordered*, That the said Thomas Underwood, John Hooe, John Edmondson, Daniel Trigg, Armistead Russell, and William Bibb, be discharged out of custody, without paying fees.

*Ordered*, That Mr. John Beckley be appointed clerk of this House.

*Ordered*, That the Rev. Miles Selden be appointed chaplain to this House, and that he attend to read prayers every morning at 8 o'clock.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

*Ordered*, That Mr. Freeman Eppes be appointed serjeant at arms to this House.

*Ordered*, That William Hicks, John Creagh, William Drinkard, and Daniel Hicks, be appointed door-keepers to this House; and that they give their attendance accordingly.

*Ordered*, That a committee for Religion be appointed.

And a committee was appointed, of Messrs. Carrington, Starke, Pride, Peebles, Hooe, Norvell, Goode, Moshy, Washington, Andrew Moore, Wray, Martin, Wall, and Zachariah Johnson; and they are to meet and adjourn from day to day, and to take under their consideration all matters and things relating to religion and morality, and all such as shall be from time to time referred to them, and report their proceedings, with their opinion thereupon, to the House; and the said committee are to have power to send for persons, papers, and records, for their information.

*Ordered*, That a committee of Privileges and Elections be appointed.

And a committee was appointed, of Messrs. Henry, Fleming, Richard Henry Lee, Page, Edmondson, Richard Lee, Pride, Strother, Pickett, Napier, Tyler, William Mayo, Francis Peyton and Thomas Johnson; and they are to meet and adjourn from day to day, and to examine in the first place all returns of writs for electing delegates to serve in this present General Assembly, and compare the same with the form prescribed by law, and to take into their consideration, all such matters as shall or may come in question, touching returns, elections, and privileges; and to report their proceedings, with their opinions thereupon from time to time, to the House; and the said committee are to have power to send for persons, papers, and records for their information.

*Resolved*, That in all cases of controverted elections, to be heard at the bar of this House, or before the committee of Privileges and Elections, the petitioners do by themselves, or their agents, within a convenient time to be appointed either by the House or the committee of Privileges and Elections, as the matter to be heard shall be before the House, or the said committee, deliver to the sitting members, or their agents, lists of the persons intended by the petitioners to be objected to, who voted for the sitting members, giving in the said lists, the several heads of objection, and distinguishing the same against the names of the voters excepted to; and that the sitting members do by themselves, or their agents, within the same time, deliver the lists on their parts to the petitioners or their agents.

*Ordered*, That a committee of Propositions and Grievances be appointed.

And a committee was appointed, of Messrs. Richard Henry Lee, Joseph Jones of King George, Fitzhugh, Page, Henry, Strother, Tyler, Lyne, Edmondson, Thomas Johnson, Hooe, Goode, Pickett, Carrington, Garland, Francis Peyton, Wilkinson, Lowrey, Joel Watkins, Fleming, Chilton, Underwood, Sampson, Thomas Peyton, Hardy, Chap-



man, John Watkins, Starke, Rogers, Gordon, Helm, William Campbell, Landon Carter, Lankford, Mosby, Bibb, Isaac Davis, Tazewell, Hill, Burnley, Benjamin Harrison of Rockingham, Zachariah Johnson, Coles, Wall, and John Hill Carter; and they are to meet and adjourn from day to day, and to take into their consideration, all propositions and grievances that shall or may come legally certified to this Assembly, and to report their proceedings with their opinions thereupon, to the House; and all such propositions and grievances are to be delivered to the clerk of the House, and by him to the said committee of course; and the said committee are to have power to send for persons, papers, and records for their information.

*Ordered*, That a committee for Courts of Justice be appointed.

And a committee was appointed, of Messrs. Joseph Jones of King George, Fleming, Lyne, Tyler, Tazewell, Hardy, Baker, Thomas Peyton, Thomas Johnson, William Mayo, Washington, Fitzhugh and Henry; and they are to meet and adjourn from day to day, and to take into their consideration, all matters relating to courts of justice, and such other matters as shall from time to time be referred to them, and report their proceedings with their opinions thereupon, to the House, and the said committee are to inspect the Journals of the last session, and draw up a state of the matters then depending and undetermined, and the progress that was made therein, and report the same, with their opinion thereupon, to the House; and also examine what laws have expired since the last session, and inspect such temporary laws as will expire with the end of this session, or are near expiring; and report the same to the House, with their opinions which of them are fit to be revived and continued; and the said committee are to have power to send for persons, papers, and records for their information.

*Ordered*, That a committee of Trade be appointed.

And a committee was appointed, of Messrs. Richard Lee, Starke, Joseph Jones of King George, Edmondson, Lyne, Pickett, Gordon, Napier, Underwood, Wilkinson, Landon Carter, Lankford, Helm, Thomas Smith, Terry, Burnley, Norvell, Wall, and John Hill Carter; and they are to meet and adjourn from day to day, and to take into their consideration all such things relating to the trade of this Commonwealth, and all matters that shall be from time to time to them referred, and to report their proceedings with their opinions thereupon, to the House; and the said committee are to have power to send for persons, papers, and records for their information.

*Resolved*, That eleven of the committee of Propositions and Grievances; seven of the committee of Privileges and Elections; and five of any other committee, be a sufficient number to make a committee.

*Ordered*, That Mr. Adam Craig be appointed clerk to the committees for Religion, Courts of Justice, and Public Trade; and Mr. Edmund Pendleton, jun. to the committees of Privileges and Elections, and Propositions and Grievances.

A motion was made, that the House do agree to the following resolution:

Whereas, several members of the General Assembly have not had an opportunity of taking the oath required by a resolution agreed to the sixth day of July last:

*Resolved*, That the Speakers of both Houses of Assembly, be directed to administer the said oath to such members of either House respectively, as have not yet taken the same.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill "for the better defence of the southern frontier;" and that Messrs. Henry, Talbot, Hardy, Richard Henry Lee, Madison, Buford, and William Campbell, do prepare and bring in the same.

A motion was made, that the House do agree to the following resolution:

*Resolved*, That during the continuance of the present war, fifty members be a sufficient number to proceed to business.

And the said resolution being read a second time, and the question put, that the House do agree to the same, It passed in the negative.

*Resolved*, That the resolution be rejected.

A motion was made, that the House do agree to the following resolution:

*Resolved*, That during an invasion of the State by British troops, fifty members of this House, be a sufficient number to proceed to business.

And the said resolution being read a second time, and the question put, that the House do agree to the same,

It was resolved in the affirmative.

And then the House adjourned till to-morrow morning, 10 o'clock.

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TUESDAY, November 7, 1780.

The Speaker laid before the House the report and proceedings of the commissioners appointed to run the boundary line with North Carolina; and the same were read.

A motion was made and the question being put, that the farther consideration of the said report and proceedings be deferred till the next session of Assembly:

It was resolved in the affirmative.

Several memorials of sundry inhabitants of the county of Buckingham, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that they consider it as unwise to extend the privileges granted to well affected citizens, to those who refuse to give assurance of their fidelity to the State; and that dangerous consequences may ensue, by admitting the exercise of any of the learned professions to non-jurors, from the undue influence they are capable of obtaining to the possessor; and praying that an act may pass to silence all non-juring preachers of every denomination, and deprive of their benefices such as have them; to prohibit those who refuse assurance of fidelity to the government, the exercise of either of the professions of law or physick; and to impose double taxes on non-jurors.

*Ordered*, That the said memorials be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Several petitions of sundry inhabitants of the county of Brunswick, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that they have maturely considered and candidly weighed the merits of a bill "to revise and amend the several tender laws which have been passed in this Commonwealth," printed for the consideration of the people; and are of opinion that it is irreconcilable to the principles of justice and good policy, as well as tending to the destruction of public faith and private property; and praying that the said bill may not pass into a law.

Also, several petitions of sundry other inhabitants of the same county, whose names are thereunto subscribed; setting forth, that the act of the last session of Assembly "for emitting and funding a sum of money agreeable to the resolutions of Congress of the 18th of March last," does in their opinions contradict and annul the most solemn assurances made to the people by their representatives, that the bills of credit emitted by them, should be redeemed in gold or silver, according to their expressed value, and tending to subvert the public faith will necessarily weaken the confidence of the people in the legislature; and praying that the said act may be repealed.

*Ordered*, That the said petitions do lie on the table.

A motion was made, that the House do come to the following resolution:

Whereas, the most pernicious consequences may follow from suffering the present season for procuring beef for the use of the army and militia ordered into service to pass away, without laying up a sufficient stock for the necessary purposes aforesaid;

*Resolved*, That the Governor, with the advice of Council, be authorised and empowered, to adopt and pursue such measures as appear to the executive practicable and effectual, for the purpose of laying in such a quantity of beef and salt as shall be necessary for the uses aforesaid; and the General Assembly will, before the adjournment of the present session, provide funds for payment of beef and salt so obtained.

And the said resolution being read a second time, was ordered to lie on the table.

A petition of sundry inhabitants of that part of the county of Augusta commonly called Tiger's Valley, whose names are thereunto subscribed, was presented to the House and read; setting forth, that the great extent of their settlement and its extreme distance from the seat of justice in the said county, is attended with an almost total deprivation of their civil rights; and praying that their settlement may be added to and made part of the county of Monongalia.

Also, a petition of sundry inhabitants of the counties of King George and Westmoreland, whose names are thereunto subscribed; setting forth, that they experience great inconveniences by the discontinuance of the inspection at Machodack; and praying that the said inspection may be revived and re-established.

Also, a petition of the field officers of the county of Goochland; setting forth, that sundry of their militia who were in the late defeat of General Gates's army to the southward, have returned home and incurred the penalty of an act of the last session of Assembly, by which they are deemed continental soldiers for eight months; that from the particular circumstances of this case, they think the said militia ought to be relieved from such additional service; and praying the interposition of the legislature in their behalf.

Also, a petition of Thomas Sharp, on behalf of himself and the company who acted as a guard to the commissioners for running the boundary line with North Carolina; setting forth, that through unavoidable and unexpected delays, occasioned by the uncommon rigor of the season, and various other causes, their time of service was considerably protracted; that the severity of the season occasioned them to continue all winter in the desert wilderness, where they suffered much for clothing and other necessities; and praying that some more adequate satisfaction than the pay allowed militia soldiers by law, may be made to them.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Consolver was presented to the House, and read; setting forth, that he lost his right arm and left hand in the defeat of Col. Buford's regiment to the southward, which totally incapacitates him from obtaining a livelihood, and praying relief.

Also, a petition of John King; setting forth, that he lost both arms in the defeat of Col. Buford's regiment to the southward, which renders him entirely helpless and incapable of obtaining a livelihood; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That a committee be appointed to take into consideration, the situation of the eastern frontier of this State, and to form a plan of defence for the same; and that they make their report to the House.

And a committee was appointed, of Messrs. Richard Henry Lee, Taylor of Norfolk, Hardy, Jones of King George, Braxton, Henry, Wray, Strother, Page, and Tyler.

The Speaker laid before the House a letter from the Governor, enclosing several others addressed to the executive, and sundry resolutions of Congress, with other papers, and stating several matters for the consideration of the General Assembly; and the said letters, papers, and resolutions were read, and ordered to lie on the table.

A motion was made, that the House do come to the following resolution:

*Resolved*, That a committee of nine members be chosen by ballot, to consider of ways and means for raising money to comply with the requisitions of the American Congress, and to defray the expenses of the current year; that they have power of calling for papers or other information from the public boards; and that they report thereupon to the House.

And the said resolution being read a second time, and the question put that this House do agree to the same.

It passed in the negative.

*Resolved*, That the resolution be rejected.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, November 8, 1780.

A petition of the vestry of the parish of Albemarle, in the county of Sussex, was presented to the House, and read; setting forth, that there is a great neglect of duty in the present members of the said vestry, and but one of them the choice of the people; and praying that the said vestry may be dissolved.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Charles City, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that so much of the acts of the last session of Assembly, respecting the money emitted, agreeable to the resolutions of Congress of the 18th of March last, and for emitting and funding money on the credit of the State, as restricts the one from being received in payment of taxes, and does not make provision that either shall pass as a legal tender, is in their opinions impolitic and unjust, and tends to aggrieve the people; that the act for procuring provisions for the army, has been also attended with injury and inconvenience in its execution; and praying that the said several acts may be amended.

Also, a petition of John Mayo and others, whose names are thereunto subscribed; setting forth, that travellers and others who cross at the falls of James river, experience great inconvenience from the delay of the present ferry; and praying that another ferry may be established, from the land of the said John Mayo on the south side of said river, to his lot in Richmond, and the sandy bar on the north side.

Also, a petition of sundry inhabitants of the county of Amelia, whose names are thereunto subscribed, to the same effect.

Also, a petition of the Honorable Archibald Cary, Esq.; setting forth, the public and private inconveniences of the present ferry at the falls of James river; and praying that another ferry may be established from his land at or near the coal landing on the south side of the said river, to the sandy bar on the north side.

Also, a petition of Samuel Veale, executor of George Veale, deceased; setting forth, that his testator some time in the year 1775, sold to John Goodrich and Company, goods to the amount of 75*l.* 12*s.* 3*d.* halfpenny, for the payment of which the said John Goodrich and Company agreed to deliver bar iron at 25*l.* per ton; that before payment, the said John Goodrich and Company joined the British enemy, and their estates became forfeited to the Commonwealth; and praying that the said debt may be made good to the estate of the testator, out of the sales of the estates of the said John Goodrich and Company.

Also, a petition of Andrew Armstrong; setting forth, that he was employed by Mr. Thomas Madison by desire of the Governor, to convey a load of powder from Botetourt to Montgomery, which service he performed with his own wagon; that upon his return, three of his horses died at a place called Haus Meadows, being as he believes poisoned by tories; and praying relief.

Also, a petition of sundry inhabitants of the county of Richmond, whose names are thereunto subscribed; setting forth, that they have sustained great inconvenience and injury by the discontinuance of the inspection at Glascock's, in the said county; and praying that the said inspection may be revived.

*Ordered*. That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Louisa, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they have maturely considered the bill to revise the tender laws, and are of opinion, that it is impolitic, unequal, and unjust; and praying that the said bill may not pass into a law.

Also, a petition of sundry inhabitants of the county of Mecklenburg, whose names are thereunto subscribed; to the same effect.

Also, a petition of sundry inhabitants of the county of Goochland, whose names are thereunto subscribed; setting forth, that they are apprehensive dangerous consequences will ensue from the operation of the act passed at the



last session of Assembly, "for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit;" and praying that the said act may be repealed.

Also, a petition of sundry inhabitants of the county of Louisa, whose names are thereunto subscribed, to the same effect.

*Ordered*, That the said petitions do lie on the table.

On a motion made,

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House on the state of the Commonwealth.

*Ordered*, That the letters and papers from the Governor, which were yesterday read, be referred to the committee of the whole House on the state of the Commonwealth.

The Speaker laid before the House, a letter from the Governor, enclosing one from General Washington, and several resolutions of Congress, with other papers, and stating additional matters for the consideration of the General Assembly; which were read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

The Speaker laid before the House, a letter from Major Nelson, representing the present state of the corps of cavalry under his command; which was read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

The House proceeded to consider the resolution which lay on the table, for procuring a supply of beef and salt for the army; and the same being read was, on the question put thereupon, agreed to by the House, as followeth:

Whereas, the most pernicious consequences may follow from suffering the present season for procuring beef for the use of the army and militia ordered into service, to pass away, without laying up a sufficient stock for the necessary purposes aforesaid.

*Resolved*, That the Governor, with the advice of Council, be authorised and empowered, to adopt and pursue such measures as appear to the Executive practicable and effectual, for the purpose of laying in such a quantity of beef and salt as shall be necessary for the uses aforesaid. And the General Assembly will, before the adjournment of the present session, provide funds for payment of the beef and salt so obtained.

*Ordered*, That Mr. Richard Henry Lee do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the additional sum of 20*l.* per day, be allowed to each of the commissioners appointed to run the boundary line with North Carolina, during the time they were engaged in that service.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence.

A memorial of the Baptist Association was presented to the House, and read; setting forth, that they consider the present vestry law as a restriction on their religious liberties; and that marriages solemnized by dissenting ministers, not being confirmed and sanctioned by law, they also consider as a grievance; and praying relief.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, November 9, 1780.

*Ordered*, That Mr. Reynolds be added to the committee of Trade.

*Ordered*, That Mr. Landon Carter, have leave to be absent from the service of this House until this day fortnight, and Mr. Page for the remainder of the session.

A petition of Campbell McCauley, was presented to the House, and read; setting forth, that he received many wounds in the defeat of Colouel Buford's regiment to the southward, which have disabled him from obtaining a livelihood; and praying relief.

Also, a petition of Charles Davis to the same effect.

Also, a petition of Abraham Nettles; setting forth, that while a soldier in the continental army, he contracted an illness that deprived him of the use of his lower limbs, and totally disables him from obtaining a livelihood; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the 10th division of the militia of Amherst county, who marched to the relief of South Carolina, was presented to the House, and read; setting forth, that in the late defeat of General Gates's army to the southward, they lost all their clothing, and came home for a supply of that article; that being on their return to camp, they were informed that they had incurred the penalty of an act deeming them continental soldiers for eight months, which they think was never intended; and praying relief from such additional service.

Also, a petition of the widow and children of John Meacom, who was executed for murder in the year 1776; setting forth, that by the attainder and conviction of the said John Meacom, his lands and chattels became forfeited

to the Commonwealth, and have since been taken into the hands of a public officer, upon an inquest of office found against them, whereby distress and ruin to the petitioners is added to that corruption of blood which though innocent themselves, the crimes of the said John Meacom hath brought upon them; and praying that the sentence of the law may be mitigated in their favor, so far as shall seem consistent with the justice and mercy of the House.

Also, a petition of sundry inhabitants of the county of Lancaster; setting forth, that great inconvenience hath arisen from the discontinuance of the inspection at Dymer's in the said county; and praying that the said inspection may be re-established.

Also, a petition of sundry inhabitants of the county of King and Queen, whose names are thereunto subscribed; setting forth, that great inconvenience hath arisen from the discontinuance of the inspection at Turner's in the said county; and praying that the said inspection may be re-established.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Powhatan, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they have maturely considered the bill to revise the tender laws, printed for the consideration of the people, and are of opinion that it is impolitic, unequal and unjust; and praying that the said bill may not pass into a law.

*Ordered*, That the said petition do lie on the table.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had the state of the Commonwealth under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the state of the Commonwealth.

On a motion made,

*Ordered*, That the commissioner of the war office, be directed to lay before this House as soon as may be, an accurate state of the returns made to his office of the levies collected under the act "for speedily recruiting the quota of this State for the continental army."

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, November 10, 1780.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee. That the petition of Lieut. Thomas Sharp, and the men who acted as a guard to the commissioners appointed to run the boundary line between North Carolina and this State, praying that they may be allowed a farther compensation than the pay given by law to militia when on duty, is reasonable; and that the lieutenant of the said guard be allowed and paid by the public, after the rate of 500*l.* per month, the serjeants after the rate of 300*l.* per month each, and the soldiers after the rate of 200*l.* per month each, for the time they acted as guards to the said commissioners, in consideration of the extraordinary hardships they suffered, and the inclemency of the weather, during the time they were engaged in that service.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Augusta, praying that that part of the said county called Tyger's Valley, may be added to and made part of the county of Monongalia, is reasonable.

*Ordered*, That Mr. Richard Henry Lee, do carry the first resolution to the Senate, and desire their concurrence.

*Ordered*, That a bill or bills, be brought in pursuant to the second resolution; and that the committee of Propositions and Grievances do prepare and bring in the same.

*Ordered*, That Mr. Williamson Ball have leave to be absent from the service of this House, until Monday fortnight; Mr. Coles, until this day fortnight; Mr. Thomas Johnson, until Wednesday next; Mr. Fleming, until Monday next; and Mr. John Watkins, until this day week.

Mr. Henry presented, according to order, a bill "for the better defence of the southern frontier;" and the same was received and read the first time, and ordered to be read a second time.

A petition of Nathaniel Wilkins was presented to the House, and read; setting forth, that he lost his right hand and part of his right arm, in the defeat of Col. Buford's regiment to the southward, which has rendered him incapable of obtaining a livelihood; and praying relief.

Also, a petition of Dr. John De Siqueyra; setting forth, that he hath continued to attend as physician to the hospital for the reception of idiots, lunatics, and persons of unsound mind, since the expiration of his last year, for which

he was paid a salary in the October session of the same year; that his present year is almost expired; and praying that his salary may be continued.

Also, a petition of Hugh Wallace; setting forth, that the provision heretofore made for him, in consideration of wounds received while a soldier in the service of the Commonwealth, is become inadequate to the end; and praying farther relief.

Also, a petition of Dorothy Long; setting forth, that she has had the misfortune to lose her husband and two sons, in the service of the State; that her youngest son also enlisted in the Georgia service, from which he was lately discharged, and returned home in a very weak state, in which he still continues; that she is too poor to pay the expense of a doctor to attend him; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Cumberland, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they have seen and maturely considered the bill to revise the tender laws, which was printed for the consideration of the people, and are of opinion that it is impolitic and inexpedient; and praying that the said bill may not pass into a law.

*Ordered*, That the said petition do lie on the table.

A petition of sundry inhabitants of the county of Prince Edward, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they consider it as unwise to extend the privileges granted to well affected citizens, to those who refuse to give assurance of fidelity to the State; that dangerous consequences may ensue by admitting the exercise of any of the learned professions to non-jurors; and praying that all non-juring clergymen, of whatever denomination, may be silenced, and such as have them deprived of their benefices; that those who refuse to give assurance of allegiance to the State, may be prohibited the exercise of either of the professions of law or physic; and that double taxes be imposed on all non-jurors.

Also, a petition of sundry inhabitants of the county of Cumberland, whose names are thereunto subscribed, to the same effect.

*Ordered*, That the said petitions be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the counties of Norfolk and Nansemond, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they possess sundry lots in the towns of Norfolk and Portsmouth, which by an act of Convention in 1776, were exempted from taxation in consideration of the destruction of the houses on the said lots, made as well by the enemy, as in pursuance of an act of the same Convention; that by a law of the last session, the said lots are made liable to taxation, although the reason of exemption still continues; and praying that such exemption may be again extended to them.

Also, a petition of sundry inhabitants of the county of Charlotte, whose names are thereunto subscribed; setting forth, that the estimates made under former laws of the effective numbers of militia, have been rendered uncertain, through the want of invalid corps in each county; that they conceive the establishment of such corps would be attended with many other public advantages; and praying that an invalid company of militia may be formed in every county of the State.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the thanks of this House be given to Col. William Campbell, of the county of Washington, and the officers and soldiers of the militia under his command, who spontaneously equipped themselves and went forth to the aid of a sister State, suffering distress under the invasion and ravage of the common enemy, and who, combined with some detachments of militia from the neighboring States, judiciously concerted, and bravely executed, an attack upon a party of the enemy commanded by Major Ferguson, consisting of about 1,105 men, British and Tories, strongly posted on King's mountain, whereby after a severe and bloody conflict of upwards of an hour, the survivors of the enemy were compelled to surrender themselves prisoners of war; and that Col. Campbell be requested to communicate the contents of this resolution to the gallant officers and soldiers who composed his party.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House, *nemine contra dicente*.

*Ordered*, That Messrs. Joseph Jones of King George, Richard Henry Lee, and Fleming, be a committee to communicate the foregoing vote of thanks to Col. Campbell.

A motion was made, that the House do come to the following resolution:

*Resolved*, That a good horse, with elegant furniture, and a sword be purchased at the public expense, and presented to Col. William Campbell, as a farther testimony of the high sense the General Assembly entertain of his late important services to his country.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House, *nemine contra dicente*.

*Ordered*, That Mr. Fleming do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

Whereas, by a resolution of the last session of General Assembly, for furnishing horses to remount Colonels



White and Washington's corps; and in conformity to the said resolution, a number of horses by the direction of the executive, have been purchased and delivered to the continental quartermaster; therefore,

*Resolved*, That the auditors of public accounts, do issue their warrants on the treasurer for all certificates due for such purchases, and that the treasurer do pay the same out of any public money that may be in his hands.

And the said resolution being read a second time, was ordered to lie on the table.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the keeper of the public store, do furnish to each of the door-keepers of this House and of the Senate, cloth for a suit of clothes, and a great coat; and the treasurer is hereby empowered to pay for the making of the same, out of any public money in his hands.

And the said resolution being read a second time, was ordered to lie on the table.

*Ordered*, That leave be given to bring in a bill "for the manumission of Ned, a negro man slave, the property of Henry Delony;" and that Mr. Goode do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had the state of the Commonwealth under their consideration, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That speedy and effectual means ought to be adopted for raising the quota of the troops of this State, agreeable to the requisition of Congress of the 21st day of September last, to serve during the war.

*Resolved*, that it is the opinion of this committee, That present credit ought to be had against the said requisitions of Congress, as well for the men raised by the Commonwealth and now in service, who are engaged for the war, as for those engaged for any shorter period, and that the deficiency of those not engaged for the war, ought to be hereafter made good agreeable to the foregoing resolution, saving to this State their just claim against the United States, for the extraordinary expense of new levies, in consequence of their troops now prisoners with the enemy, or any others which may be a surpluſage to their proportion.

*Resolved*, that it is the opinion of this committee, That every able bodied soldier who shall enlist to serve during the war, be paid a bounty of \_\_\_\_\_ dollars; and that they, together with those now engaged to serve during the war, be allowed the pay of continental soldiers, to be paid in the money emitted agreeable to the resolutions of Congress of the 18th March last, or in other money of equal value.

*Resolved*, that it is the opinion of this committee, That a sum not exceeding \_\_\_\_\_ pounds, ought to be emitted, to answer the immediate exigencies of the war; and that permanent funds be provided for its redemption, within \_\_\_\_\_ years.

*Resolved*, that it is the opinion of this committee, That it will be expedient to amend the act of the last session, entitled "an act for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last;" so as to enable the treasurer of this Commonwealth to change the money to be emitted by virtue of that act, for the money now current, at the rate of one dollar of the former for forty of the latter.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution; and that Messrs. Starke, Richard Henry Lee, Henry, Joseph Jones of King George, Munford, Fitzhugh, Fleming, Francis Peyton, Strother, Tazewell and Hardy, do prepare and bring in the same.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the state of the Commonwealth.

And then the House adjourned till to-morrow morning, 10 o'clock.

SATURDAY, November 11, 1780.

A member returned the certificate of his qualification under the test oath, as prescribed by the joint resolution of both Houses of Assembly, of the \_\_\_\_\_ day of July last; which was read, and ordered to lie on the table.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Samuel Veale, executor of George Veale, deceased; praying that a claim he hath against John Goodrich the elder, John Goodrich the younger, and Bartlett Goodrich, for three tons of bar iron, may be satisfied and paid out of the sales of their estates which are escheated to the Commonwealth, is reasonable; and that the petitioner be allowed and paid so much money as will purchase or be equal in value to the said three tons of bar iron.

*Resolved*, that it is the opinion of this committee, That the petition of Ann Meacom, widow of John Meacom, deceased, in behalf of herself and five children, praying that the money arising from the sale of the estate of the said

John Meacom, who was convicted of and executed for murder, and his estate thereby forfeited to the Commonwealth, which was, by virtue of office found, accordingly sold, may be restored to the petitioners, is reasonable; and that they be allowed and paid the same.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions; and that the committee of Propositions and Grievances do prepare and bring in the same.

Mr. Goode presented, according to order, a bill "for the manumission of Ned, a negro man slave, the property of Henry Delony;" and the same was received and read the first time, and ordered to be read a second time.

A petition of Benjamin Bilberry, was presented to the House and read; setting forth, that his wife Kate, a negro woman, late the property of Abraham Cowley, deceased, being in a state of bondage, the petitioner purchased her of the said Abraham Cowley in his life time, in consideration of a lot and house in the town of Richmond, to which the petitioner had acquired a property; that he is informed the said purchase will not be effectual to preserve the said Kate and her future increase from slavery after his death, unless confirmed by an act of the legislature; and praying that such an act may pass.

Also, a petition of David Ross; setting forth, that a public ferry, from his landing, at the mouth of Archys creek, on James river, in the county of Bedford, to the land of Robert Bolling, deceased, in the county of Amherst, would be of public utility, and that the roads necessary to be made to it would not be injurious to any person; and praying that such ferry may be established.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Lewis of Albemarle, have leave to be absent from the service of this House, until Monday se'nnight.

On a motion made,

*Ordered*, That a committee be appointed to inquire into the business of the war department, and the management thereof, as well as into the state of the public magazines, and report thereupon to the House.

And a committee was appointed, of Messrs. Taylor, Tazewell, Lyne, and Hardy.

Several petitions of sundry inhabitants of the county of Brunswick, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that they have maturely considered the bill, "to revise the tender laws," printed for the consideration of the people, and are of opinion that it is wise, politic and expedient; and praying that the said bill may be passed into a law.

*Ordered*, That the said petitions do lie on the table.

*Ordered*, That Mr. Lyne be added to the committee appointed to prepare and bring in bills agreeable to the resolutions reported from the committee of the whole House, and agreed to by the House yesterday.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

## MONDAY, November 13, 1780.

A bill, "for the manumission of Ned, a negro man slave, the property of Henry Delony," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A petition of John Jones, jun. was presented to the House, and read; setting forth, that he had a horse impressed into the service of the Maryland brigade, under authority from Baron De Kalb, for which no certificate was given him; that the said horse was appraised to three thousand pounds, and never returned; and praying to be paid his valuation.

Also, a petition of John Banks, a regular soldier in the regiment of guards; setting forth, that he got crippled while in service, by the fall of a log across his back, and thereby rendered unable to obtain a livelihood by labor; and praying relief.

Also, a petition of the Rev. Miles Selden; setting forth, that he is possessed of a small tract of land, with houses, &c. thereon, near the town of Hampton, which, in the year 1777, was seized on, at the time a tenant was about to take possession, by the commanding officer at that station, and converted as an hospital place for the soldiers of the garrison who had the smallpox: that the said houses, &c. hath been detained in the service of the public until last Spring, and great injury done thereto by the soldiery; and praying a reasonable compensation.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House proceeded to consider the resolution which lay on the table, respecting the horses purchased to remount Colonels White and Washington's corps; and the same was twice read, and on the question put thereupon. agreed to by the House, as followeth:

Whereas, by a resolution of the last session of the General Assembly, for furnishing horses to remount Colonels



White and Washinton's corps, and in conformity to the said resolutions, a number of horses, by the direction of the Executive, have been purchased and delivered to the continental quartermaster; therefore,

*Resolved*, That the auditors of public accounts do issue their warrants on the treasurer, for all certificates due for such purchases, and that the treasurer do pay the same out of any public money that may be in his hands.

*Ordered*, That Mr. Garland do carry the resolution to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

## TUESDAY, November 14, 1780.

A bill, "for the better defence of the southern frontier," was read the second time, and ordered to be committed to a committee of the whole House to-morrow.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of James Triplett and William Smith, inspectors at Leed's warehouses, in the county of Westmoreland, praying to be reimbursed for the loss of four thousand seven hundred and seventy-eight pounds of crop tobacco, which was stolen out of the said warehouses in the month of May last, is reasonable; and that the petitioners be paid by the public the sum of 2,389*l.* for the said tobacco.

*Resolved*, that it is the opinion of this committee, That the petition of the field officers of the militia of the county of Goochland, praying the direction of the Assembly, respecting the militia of the said county, who marched to the southward and deserted after the defeat near Camden, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of divers militia men of the county of Amherst, who marched to the relief of South Carolina, and from thence deserted; praying that the penalty of the law, inflicting eight months service on such deserters, may be remitted, be rejected.

The first and second resolutions were read a second time, and on the question put thereupon, agreed to by the House.

The third resolution was read a second time, and ordered to be recommitted to the same committee.

*Ordered*, That Mr. Richard Henry Lee do carry the first resolution to the Senate, and desire their concurrence.

Several petitions of sundry inhabitants of the county of Brunswick, whose names are thereunto subscribed, were presented to the House, and read; setting forth, that they experience great inconvenience from the extent of their county, and the situation of the Meherrin river, the inhabitants on the south side of which are frequently prevented from crossing to attend courts, musters, &c. by freshes and other casualties; and praying that the said county may be divided into two distinct counties, agreeable to certain boundaries therein expressed.

Also, several petitions of sundry inhabitants of the county of Southampton, whose names are thereunto subscribed; setting forth, that by reason of the great extent of their county, they labor under many inconveniences; and praying that the upper part of the said county may be laid off and added to a part of the county of Brunswick, and formed into one distinct county, agreeable to certain boundaries therein expressed.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. David Mason be added to the committees of Privileges and Elections and Propositions and Grievances.

*Ordered*, That the committee appointed to prepare and bring in a bill, agreeable to the fifth resolution, reported from the committee of the whole House and agreed to by the House on Friday last, for amending an act of the last session "for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last," so as to authorise the treasurer to receive the money now in circulation in exchange for the money emitted by virtue of the said act, be instructed to explain and amend the said act at large.

*Ordered*, That Mr. Nicholas Cabell have leave to be absent from the service of this House, until Monday fortnight.

A petition of Daniel Hix, was presented to the House, and read; setting forth, that he obtained a warrant from the auditors of public accounts, for the wages allowed him at the last session of Assembly, as a door-keeper to this House, and hath since lost the same without having received payment thereupon, that he applied to the auditors to renew the said warrant, which they do not think themselves authorised to do; and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.



The order of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read;

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

### WEDNESDAY, November 15, 1780.

A member returned on a new writ, having taken the oaths required by law, took his seat in the House.

A motion was made, that the House do come to the following resolution:

Whereas, the successful prosecution of the war, depends essentially on procuring proper supplies of pork in North Carolina, this State not affording enough of that article for the public purposes, and the present posture of affairs makes it probable that very important operations will shortly take place to the south;

*Resolved*, That the Governor, with the advice of the Council, be desired to appoint some proper agent or agents, to repair to the Governor of North Carolina, and to represent to him the absolute necessity of forming magazines of provisions in that State, particularly of pork; that all aids of men going from this State to our southern friends, will be without supply of that most necessary article, unless it can be purchased there; requesting at the same time, the assistance and co-operation of that State with this, in forming such magazines as the Governor, with the advice of the Council, shall judge necessary for the public service.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence.

Mr. Starke presented, according to order, a bill "to explain and amend the act for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th March last;" and the same was received and read the first time, and ordered to be read a second time.

A petition of John Sutton, was presented to the House, and read; setting forth, that by the last will and testament of his uncle James Connell, late of the town of Alexandria, he became heir to the estate of the said James Connell, which was lately escheated to the Commonwealth, the petitioner being at that time in Great Britain; that the will of the said James Connell was dated on the 17th of May, 1777, and early in the year 1778 the petitioner left England, but was prevented by capture from reaching Virginia until last Spring, when he was put into possession of the said estate by the executors of his uncle; and praying such relief in the premises as may appear just and right.

Also, a petition of the inspectors of tobacco at Byrd's and Shockoe's in the town of Richmond; setting forth, that from the increased risk and trouble of office required of them, the salaries at present allowed them, are very inadequate to their services; and praying that an increase of salary may be made to them, equal to what they received in the year 1774.

Also, a petition of the inspectors of tobacco at Page's and Crutchfield's in the county of Hanover, to the same effect.

Also, a petition of sundry merchants of the town of Richmond, whose names are thereunto subscribed; setting forth, that they are apprehensive injury will arise to the staple of tobacco, from the decreased salaries allowed to inspectors; and praying that those officers may in future receive salaries equal to what were allowed in the year 1774.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of James Murphy was presented to the House, and read; setting forth, that he lost his right arm in the defeat of Col. Buford's regiment to the southward; and praying relief towards his future support.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill, "to explain and amend the act 'for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last,'" was read the second time, and ordered to be committed to a committee of the whole House to-morrow.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolution, to authorise the Governor and Council to procure an immediate supply of beef and salt for the army, with an amendment, to which they desire the concurrence of this House. Also they have agreed to the resolution for making an additional allowance to the commissioners for running the boundary line with North Carolina. And then he withdrew.

The House proceeded to consider the amendment of the Senate to the resolution for procuring a supply of beef and salt for the army; and the same being read, was agreed to.

*Ordered*, That Mr. Richard Henry Lee do acquaint the Senate therewith.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration several petitions to them referred, and have come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of John King; setting forth, that in the year 1777, he enlisted as a soldier under Capt. Charles West, during the present war; that in the defeat of Col. Buford to the southward, he had the misfortune to lose both his arms; and praying that an allowance may be made for his support, is reasonable; and that the petitioner ought to be allowed the sum of 500*l.* for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of Campbell McCauley, a soldier in the continental service; setting forth, that in the defeat of Colonel Buford at the battle of the Waxhaws, he received many dangerous wounds, and in consequence thereof, is rendered incapable of getting his livelihood by labor, and praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 300*l.* for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of John Consolver; setting forth, that he enlisted as a soldier in the continental service during the present war; that in the defeat of Col. Buford to the southward, he had the misfortune to lose his right arm and left hand; and praying that some compensation may be made him by the public, is reasonable; and that the petitioner ought to be allowed the sum of 150*l.* for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of Nathaniel Wilkins, praying that an allowance may be made him by the public, in consideration of the loss of his right hand at the battle of the Waxhaws, while a soldier in the continental service, is reasonable; and that the petitioner ought to be allowed the sum of 300*l.* for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of Abraham Nettles, late a serjeant in Capt. Nathan Reade's company, who through the effects of some violent disorder, lost the use of his lower limbs, whilst in the service of the United States, is reasonable; and that the petitioner ought to be allowed the sum of 300*l.* for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of Hugh Wallis; setting forth, that while a soldier in Captain Johnson's company of the sixth Virginia regiment, he had the misfortune to lose his right leg and part of his thigh; that he has a wife and five small children to support, and praying a farther allowance in addition to that made him at the last Assembly, is reasonable; and that the petitioner ought to be allowed the sum of 400*l.* for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of Dr. John De Sequeyra, is reasonable; and that the petitioner ought to be allowed the sum of 600*l.* for visiting and attending the insane persons in the public hospital once in every week, for a year, ending the 17th day of December next.

*Ordered,* That Mr. Richard Lee do carry the resolutions to the Senate, and desire their concurrence.

Mr. Joseph Jones, of King George, reported, from the committee appointed to communicate the vote of thanks conferred on Col. Campbell, by a resolution of this House of the 10th instant, that the committee had, according to order, communicated the same to that gentleman, and that he was pleased to return the following answer:

"GENTLEMEN,—I am infinitely happy in receiving this public testimony of the approbation of my country, for my late services in South Carolina. It is a reward far above my expectations, and I esteem it the noblest a soldier can receive from a virtuous people. Through you, gentlemen, I wish to communicate the high sense I have of it to the House of Delegates. I owe, under Providence, much to the brave officers and soldiers who served with me; and I shall take the earliest opportunity of transmitting the resolve of your House to them, who I am persuaded, will experience all the honest heartfelt satisfaction, I feel myself on this occasion."

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for the better defence of the southern frontier;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered,* That the said report be received to-morrow.

A message from the Senate by Mr. Christian:

MR. SPEAKER,—The Senate have agreed to the resolution, for establishing magazines of pork, and procuring supplies of that article, in North Carolina. And then he withdrew.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

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THURSDAY, November 16, 1780.

The House being informed that Mr. Thomas Allen, one of the members for the county of Shenandoah, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Friday the 3d instant,

*Ordered,* That the said Thomas Allen, be discharged out of custody, without paying fees.

*Ordered,* That Mr. James Taylor have leave to be absent from the service of this House until Monday next.

Mr. Tyler reported, from the committee of Propositions and Grievances, that the committee had, according to



order, had under their consideration, several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee,* That so much of the petition of divers inhabitants of the county of Brunswick, praying that the said county may be divided into two distinct counties, by a line to begin two miles above Chapman's ford, and running from thence a due south course to the county line, and from Chapman's ford a due north course to Nottoway river, is reasonable.

*Resolved, that it is the opinion of this committee,* That such other part of the said petition as prays a division of the said county by Meherrin river, be rejected.

*Resolved, that it is the opinion of this committee,* That the petitions of divers inhabitants of the counties of Southampton, Sussex and Brunswick, praying that a new county may be formed out of the said counties, be rejected.

*Ordered,* That a bill or bills, be brought in pursuant to the first resolution; and that the committee of Propositions and Grievances do prepare and bring in the same.

Mr. Tazewell reported, according to order, the amendments made yesterday by the committee of the whole House, to the bill "for the better defence of the southern frontier;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered,* That the bill, with the amendments, be engrossed and read the third time.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, the petition of John Jones, jun. to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, from the depositions of John Williams, Mary Johnston, and Carter Hamlet, that some time in the months of June or July last, a party of armed men, commanded by John Halkerston, an ensign in the first Maryland brigade, came to the petitioner's house, and impressed into the service of the United States, a bay horse, with a blazed face, the property of the petitioner. That, in consequence of the said Halkerston's being asked by what authority he impressed the said horse, he produced instructions under the hand of Baron De Kalb, which being satisfactory to the petitioner, he demanded of the said Halkerston a certificate for the said horse, which he then refused to grant him, though at the same time assured the petitioner, if he would attend at Capt. Philip Jones's, he should receive a certificate for his said horse. That the petitioner accordingly attended at the said Jones's, where he was informed that his horse was at a place called Lamb's, and upon application for him there he would be delivered to him. That the petitioner sent repeatedly after his said horse, but the wagon master, in whose care he was, positively refused to deliver him.

It farther appears to your committee, from a certificate of Philip Jones, a justice of the peace for the county of Dinwiddie, that Daniel Call and Frederick Jones, being first sworn before him, valued the said horse to three thousand pounds.

Whereupon, your committee came to the following resolution:

*Resolved, that it is the opinion of this committee,* That the petition of the said John Jones, jun. is reasonable; and that the petitioner ought to be allowed the sum of 3,000*l.*, the value of his said horse, to be charged to the continent in account with this Commonwealth.

*Ordered,* That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

The Speaker laid before the House a letter from the Governor, enclosing a return of the present state of the navy, and stating additional matter for the consideration of the General Assembly; and the same were read.

*Ordered,* That the Governor's letter do lie on the table.

*Ordered,* That the return of the state of the navy, be referred to the committee appointed to prepare a plan of defence for the eastern frontier.

A memorial of Charles Lynch, was presented to the House, and read; setting forth, that he was appointed by the Board of Trade, to superintend the lead mines, and by law was referred to the said Board for the consideration to be made for his services; that he has discharged the duty required of him one year, and the Board of Trade being discontinued, he knows not where to apply for payment; and praying relief.

Also, a petition of James Terry; setting forth, that being a soldier in the continental army, he received a wound at the battle of Brandywine, which deprived him of the use of his right arm; that he was formerly allowed a sum of money for his temporary relief; and praying farther relief.

*Ordered,* That the said memorial and petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Alexander Kilpatrick, was presented to the House, and read; setting forth, that he was appointed jailor of the county of Augusta, and discharged the duty thereof; that being ignorant of the fees allowed by law; he presented his account for the maintenance of criminals and others confined in the said jail, to the court of Augusta, who made a considerable deduction from the same, refusing to allow more than the very insufficient fees given by law; and praying relief.

*Ordered,* That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Resolved,* That this House will, on Thursday next, proceed by joint ballot with the Senate, to the choice of a



Judge of the High Court of Chancery, to supply the vacancy occasioned by the death of Robert Carter Nicholas, Esquire.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to explain and amend the act, for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read;

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

## FRIDAY, November 17, 1780.

An engrossed bill, "for the better defence of the southern frontier," was read the third time.

*Resolved*, That the bill do pass; and that the title be "an act for the better defence of the southern frontier."

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolution making an additional allowance to the company who acted as a guard to the commissioners for running the boundary line with North Carolina. Also, they have agreed to the resolution, authorising the Speakers of both Houses to administer the oath prescribed by a joint resolution of both Houses of Assembly of the 6th of July last, to such members as have not yet taken the same. And then he withdrew.

The Speaker administered the oath prescribed by a joint resolution of the two Houses of Assembly of the 6th of July last, to the following members of this House, to wit: John Cunningham, Thomas Madison, Joseph Peebles, Miles King, Thomas Peyton, Parke Goodall, Patrick Henry, Joseph Jones of King George, Daniel Trigg, Benjamin Lankford, Thomas Terry, John Hooe, Benjamin Harrison of Rockingham, John Tipton, Thomas Allen, Archer Matthews, Bailey Washington, Nathaniel Newsum, and William Campbell.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to explain and amend the act for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, again had the said bill under their consideration, and made a farther progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read;

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, November 18, 1780.

The House being informed that Messrs. Adam Stevens and Moses Hunter, members for the county of Berkeley; and Mr. John Parke Custis, one of the members for the county of Fairfax, attended in custody of the serjeant at arms;

*Ordered*, That the said Adam Stevens, Moses Hunter, and John Parke Custis, be discharged out of custody, on paying fees.

The House being informed that Mr. Joseph Holmes, one of the members for the county of Frederick, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Friday the 3d instant,

*Ordered*, That the said Joseph Holmes be discharged out of custody, without paying fees.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolution, for presenting a horse with elegant furniture, and a sword, to Col. Campbell. And then he withdrew.

*Ordered*, That Mr. David Mason, have leave to be absent from the service of this House until the first day of December next; Mr. William Campbell for the remainder of the session; Mr. Starke until Tuesday next; Mr. Strother until Monday se'nnight; and Mr. William Mayo, until Tuesday next.

A message from the Senate by Mr. Francis Lightfoot Lee:

MR. SPEAKER,—The Senate have agreed to several resolutions for making certain allowances to John King Campbell M<sup>c</sup>Canley, John Consolver, Nathaniel Wilkins, Abraham Nettles, Hugh Wallace, and to Dr. John De Sequeyra. And then he withdrew.

A petition of sundry inhabitants of the county of Culpeper, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they have seen, and greatly disapprove the bill to revise the tender laws, printed for the consideration of the people; and praying that the said bill may not pass into a law.

Also, a petition of sundry inhabitants of the county of Albemarle, whose names are thereunto subscribed, to the same effect.

*Ordered*, That the said petitions do lie on the table.

The Speaker laid before the House a letter from the Governor, enclosing extracts of letters to the Executive from Col. Theoderick Bland, and from the Virginia Delegates in Congress; and the same were read, and ordered to be referred to Messrs. Richard Henry Lee, Fleming, and Starke.

The Speaker laid before the House, a letter from Richard Claiborne, Esq. late deputy quartermaster general to the continental army, respecting his claim against the Commonwealth, for a deficiency of clothing and a bounty of lands while in service; which was read, and ordered to be referred to the committee of Trade.

A motion was made, that the House do come to the following resolution:

*Resolved*, That fifty members be a sufficient number to proceed upon business, during the present session.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, the petition of Daniel Hicks, to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, that soon after the last adjournment of the Assembly, the petitioner obtained from the auditors of public accounts, a warrant on the treasurer for 2,000*l*. the amount of his wages as door-keeper to the Assembly at their last session; that he applied to the treasurer for payment of the said warrant; but there not being a sufficient sum in the treasury at that time to discharge the same, he carried it home with him; that some time afterwards, he delivered the said warrant to his nephew, William Hicks, who was coming to this place, and requested him to apply to the treasurer for payment thereof; that the said William Hicks lost the said warrant, and upon application to the auditors of public accounts to renew the same, they refused to do it, without a resolution of the General Assembly for that purpose.

It also appears to your committee, from a certificate under the hand of Isaac Younghusband, a justice of the peace for the county of Henrico, that the said William Hicks personally appeared before him, and made oath, that he received of the petitioner the said warrant, which he unfortunately lost; and that neither himself or the petitioner, have ever received any satisfaction for the same.

It farther appears to your committee, from a certificate under the hand of the treasurer, that upon examining the treasury books, it does not appear that the said warrant has been paid.

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the petition of the said Daniel Hicks, praying that the auditors of public accounts may be directed to renew the said warrant, is reasonable.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

Mr. Tyler reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the memorial of John Sutton, to them referred, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, from the certificate of William Ramsay, that the said John Sutton came from England in the year 1775, to visit James Connell, who resided in the town of Alexandria in this State; that while the said Sutton stayed with the said James Connell his uncle, the said Ramsay heard the said Connell acknowledge that the said Sutton was his heir, and that he should leave him his property in Alexandria; and that the said Sutton then declared, it was his intention, as soon as an opportunity offered, to remove with his family and settle in the said town of Alexandria.

It also appears to your committee, that the said James Connell, in and by his last will and testament, bearing date the 17th day of May, 1777, and duly proved in the county court of Fairfax the June court following, did give and devise his houses and tenements in the said town of Alexandria, to John Sutton, watch-maker in Carlyle, to him and his heirs forever, subject to the payment of certain legacies therein given.

It appears to your committee, that the said John Sutton, arrived in Virginia in the month of August last, and at Fairfax September court following, in open court, declared himself a citizen of the Commonwealth of Virginia, in due form of law; and thereupon received possession of the estate given by the will of the said James Connell, from his executors.

Whereupon, your committee came to the following resolution :

*Resolved*, that it is the opinion of this committee, That the memorial of the said John Sutton is reasonable; and that the estate given by the will of James Connell to the said John Sutton, ought to be confirmed to him.

The said resolution was read the second time, amended, and agreed to by the House.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution; and that the committee of Propositions and Grievances do prepare and bring in the same.

*Ordered*, That the House be called over on Tuesday next.

A petition of John Doggins was presented to the House, and read; setting forth, that being employed to convey some public horses to Petersburg, the horse he rode (being his own property) received an injury from one of the others, from which he presently died; and praying compensation.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Berkeley, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they conceive the present mode of raising men to recruit the army, is unequal and unjust, and suggesting a mode by classing the militia, as in their opinion less burthensome and more agreeable to the people; and praying that that, or some more equal mode, may be adopted.

*Ordered*, That the said petition be referred to the committee appointed to prepare and bring in a bill "for recruiting the army."

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "to explain and amend the act for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last," being read,

*Ordered*, That the same be put off till Tuesday next.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday, 12 o'clock.

## MONDAY, November 20, 1780.

The Speaker laid before the House a letter from the Governor, containing information respecting the embarkation of the enemy from Portsmouth, which was read and ordered to lie on the table.

A memorial of the justices of the county court of Stafford, whose names are thereunto subscribed, was presented to the House, and read, in opposition to a petition of divers inhabitants of the said county, presented to the last Assembly, praying that their courthouse may be removed from the place where it now stands, to some place at or near the centre of the said county.

Also, several petitions of sundry inhabitants of the said county, whose names are thereunto subscribed, to the same effect.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the treasurer do lay his accounts before the House.

A petition of sundry inhabitants of the county of Bedford, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they have seen and greatly disapprove the bill "to revise the tender laws," printed for the consideration of the people; and praying that the said bill may not be passed into a law.

*Ordered*, That the said petition do lie on the table.

A petition of James Chambers, was presented to the House, and read; setting forth, that he lost his right arm, part of his left hand, and received a bad wound in the back of his neck, at the defeat of Col. Buford's regiment to the southward, whereby he is disabled from procuring a livelihood by labor; and praying relief.

Also, a petition of William Tipton; setting forth, that he received several bad wounds at the battle of Savannah, which have disabled him from procuring a livelihood by labor; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House being informed that Mr. John Wood, one of the members for the county of Botetourt, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Friday the 3d instant;

*Ordered*, That the said John Wood, be discharged out of custody without paying fees.

*Ordered*, That the committee of Propositions and Grievances be discharged from proceeding on the petition of Benjamin Bilberry to them referred, and that the same committee to whom the bill "for the manumission of Ned, a negro man slave, the property of Henry Delony" was committed, be instructed to receive a clause or clauses, for the manumission of Kate, a negro woman slave, late the property of Abraham Cowley, deceased, agreeable to the prayer of the said petition.



The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read;

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

## TUESDAY, November 21, 1780.

The Speaker laid before the House a letter from the Governor, enclosing an act of Congress of the 4th instant, calling for specific supplies from the several States; and the same were read, and ordered to be referred to a committee of the whole House on the state of the Commonwealth.

*Ordered*, That Mr. James Taylor have leave to be absent from the service of this House for the remainder of the session.

Mr. Richard Henry Lee presented, from the committee of Propositions and Grievances, according to order, a bill "directing the payment of a sum of money to Samuel Veale, executor of George Veale, deceased, out of the effects of John Goodrich and others, in the public fund;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Richard Henry Lee presented, from the committee of Propositions and Grievances, according to order, a bill "to vest certain houses and tenements in the town of Alexandria, in John Sutton and his heirs, in fee simple;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Richard Henry Lee presented, from the committee of Propositions and Grievances, according to order, a bill "directing the money arising from the sales of the estate of John Meacom, deceased, to be paid to his widow and children;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Richard Henry Lee presented, from the committee of Propositions and Grievances, according to order, a bill "for adding part of the county of Augusta to the county of Monongalia;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Stafford, praying that commissioners may be appointed, who reside out of the said county, to ascertain and fix the centre of the said county of Stafford, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the counties of King George and Westmoreland, praying that the inspection of tobacco at Machodack warehouses may be revived and established, is reasonable; and that the same ought to be united with the inspection at Gibson's warehouses.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolutions; and that the committee of Propositions and Grievances do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "for granting a pardon to certain offenders;" and that Messrs. Henry, Tyler, Tazewell, Talbot, Buford, Madison and Saunders, do prepare and bring in the same.

A motion was made, that the House do come to the following resolution:

Whereas, it is highly proper to countenance and encourage the zeal of good citizens, who generously stand forth to oppose the enemies of their country; and whereas a number of worthy men have formed themselves into a legionary corps, under the command of Robert Lawson, Esq. to serve as volunteers with the continental army in the south;

*Resolved*, That the Governor be desired to present the said corps with an elegant standard, with proper devices thereon, as a testimony of the sense entertained by the General Assembly of their virtuous exertions in the cause of their country. And it is farther resolved, that the individuals of that and of other volunteer corps, that have joined the army either within or without the State, shall be considered as having thereby performed a tour of militia duty.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Henry Lee do carry the resolution to the Senate, and desire their concurrence.

A petition of John Meade was presented to the House, and read; setting forth, that as jailer of the county of Bedford, he presented his account for the maintenance of prisoners confined in the said jail to the county court of Bedford, who certified the same to the Auditors of public accounts for payment, who made a considerable deduction therefrom, refusing to allow him more than the fees given by law, which are very insufficient; and praying relief.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Smith Stevens was presented to the House, and read; setting forth, that he lost a leg in the service of his country whilst a soldier in the eleventh Virginia regiment, which has been the means of bringing himself and family to want; and praying relief.

Also, a petition of William Mitchell; setting forth, that being quartermaster of the garrison at Yorktown, he purchased of Mr. William Plume sundry oak trees, for the use of the fortifications at that place; that the said trees

being on the land of one James Cosby, of whom the said Plume (as a tanner) had purchased them for the use of the bark, the petitioner obtained of the commanding officer a detachment from a company of artificers, to whom he gave instructions for hauling in the said oak trees; that the said artificers, by mistake or neglect of their officer, cut down a few pine trees from off the land of the said James Cosby, leaving the oak trees which the petitioner had purchased, and brought them to York, where they were used in the fortifications; upon which, the said James Cosby brought his suit for a trespass, against the petitioner as quartermaster, and obtained judgment against him in the county court of York for damages and costs of suit 189*l.* 3*s.* 0*d.* which he was compelled to pay; and praying to be reimbursed the amount of the said judgment and costs.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration the memorial of the Baptist Association, to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That such parts of the said memorial as pray that marriages solemnized by dissenting ministers may be declared lawful, is reasonable.

*Resolved*, that it is the opinion of this committee, That such other parts of the said memorial as pray that the vestries in the several parishes throughout this State may be dissolved, is reasonable.

The first resolution was read a second time, and on the question put thereupon; agreed to by the House.

The second resolution was read a second time, and ordered to lie on the table.

*Ordered*, That a bill or bills, be brought in pursuant to the said first resolution; and that the committee for Religion do prepare and bring in the same.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the bill "to explain and amend the act for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last;" and also on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

### WEDNESDAY, November 22, 1780.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate have agreed to proceed by joint ballot with this House, to-morrow, to the choice of a Chancellor, in the room of Robert Carter Nicholas, Esq. deceased. And then he withdrew.

The Speaker laid before the House a letter from the auditors of public accounts, enclosing the accounts of the delegates of this State in Congress, against the Commonwealth, returned to their office, agreeable to a resolution of the last session of Assembly; and the said letter was read, and together with the said accounts, ordered to be referred to the committee to whom the Governor's letter of the 18th instant was referred.

*Ordered*, That Messrs. Tyler, Henry, Carrington, and Hardy, be added to the said committee.

A bill, "directing the payment of a sum of money to Samuel Veale, executor of George Veale, deceased, out of the effects of John Goodrich and others, in the public funds," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A petition of Richard Roy and John Catlett, inspectors at Roy's warehouse, was presented to the House, and read; setting forth, that the salaries at present allowed them by law, are less than those allowed them before the war, and very insufficient to their trouble and expense; that the allowance for prizing transfer tobacco and finding nails, is also very insufficient; and praying an increase of salary, and of the allowance for prizing transfer tobacco and finding nails; as also that the latter allowance may be extended to twenty-six hogsheads of tobacco, collected for the specific tax in Caroline county, and lately prized up by the petitioners.

*Ordered*, That the said petition do lie on the table.

A petition of William Pointer was presented to the House, and read; setting forth, that an express rider on public service, impressed a mare belonging to the petitioner, which, through severity of usage was killed, and never returned to him; and praying to be paid the valuation of the said mare.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A bill, "to vest certain houses and tenements in the town of Alexandria, in John Sutton and his heirs in fee simple," was read the second time, and ordered to be engrossed and read the third time.

A bill, "directing the money arising from the sales of the estate of John Meacom, deceased, to be paid to his widow and children," was read the second time, and ordered to be engrossed and read the third time.

A bill, "for adding part of the county of Augusta to the county of Monongalia," was read the second time, and ordered to be engrossed and read the third time.

The House proceeded to nominate persons proper to be ballotted for as Judge of the High Court of Chancery, in the room of Robert Carter Nicholas, Esq. deceased.

*Ordered*, That Mr. Starke do carry a list of the persons so nominated, to the Senate.

A motion was made, that the House do come to the following resolution :

*Resolved*, That the State agent be directed to purchase for each of the door-keepers of the General Assembly, a suit of clothes and great coat, of cloth suitable to their station.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lyne do carry the resolution to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to explain and amend the act 'for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, again had the said bill under their consideration, and gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

Mr. Tyler reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth :

*Resolved*, that it is the opinion of this committee, That the petition of the inspectors at Byrd's and Shockee warehouses, praying that their salaries may be made equal to what they were in the year 1774, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers merchants of the town of Richmond, praying that the salaries of the inspectors of tobacco at Byrd's and Shockee warehouses may be increased and made more adequate to their services, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of the inspectors of tobacco at Page's and Crutchfield's warehouses, praying that their salaries may be increased, is reasonable.

*Ordered*, That the committee of Propositions and Grievances, to whom it was referred, to prepare and bring in a bill "for reviving the inspection at Machodack," be instructed to receive a clause or clauses, for increasing the salaries of inspectors at the different inspections by law established.

The Speaker laid before the House a letter from the Governor, respecting the rank of the officers in Major Nelson's corps of cavalry; and the same was read, and ordered to be referred to the committee appointed to prepare and bring in a bill to recruit the army.

Mr. Joseph Jones of King George, reported, from the committee for Courts of Justice, that the committee had, according to order, examined what laws have lately expired, and inspected such temporary laws as will expire at the end of this session or are near expiring, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth :

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled "an act to empower the Governor and Council to lay an embargo for a limited time;" which was continued by several subsequent acts, and will expire at the end of this present session of Assembly, ought to be farther continued.

*Resolved*, that it is the opinion of this committee, That so much of the act of Assembly, passed in the year 1779, entitled "an act for punishing persons guilty of certain thefts and forgeries, and fixing the allowance to sheriffs, veniremen and witnesses, in certain cases, as respects the punishment of persons guilty of certain thefts and forgeries," and which will expire on the first day of January next, ought to be farther continued.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed at the last session, entitled "an act for giving farther powers to the Governor and Council, and for other purposes," which will expire at the end of this present session of Assembly, ought to be farther continued and amended.

*Resolved*, that it is the opinion of this committee, That the act of Assembly, passed at the last session, entitled "an act for procuring a supply of provisions and other necessities for the use of the army," which will expire ten days after the beginning of the present session of Assembly, ought to be revived and amended.

*Ordered*, That the committee for Courts of Justice, do prepare and bring in a bill or bills, pursuant to the said resolutions.

*Ordered*, That Messrs. Tyler, Stevens and Talbot, be added to the committee appointed to prepare and bring in a bill to recruit the army.

Mr. Tyler reported, from the committee of Propositions and Grievances, to whom the bill "for the manumission of Ned, a negro man slave, the property of Henry Delony," was committed, that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Tyler presented, from the committee of Propositions and Grievances, according to order, a bill "for dividing the county of Brunswick into two distinct counties;" and the same was received and read the first time, and ordered to be read a second time.



The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

THURSDAY, November 23, 1780.

An engrossed bill, "for the manumission of Ned, a negro man slave, the property of Henry Delony," was read the third time;

*Resolved*, That the bill do pass; and that the title be, "an act for the manumission of certain slaves."

*Ordered*, That Mr. Tyler do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to vest certain houses and tenements, in the town of Alexandria, in John Sutton and his heirs in fee simple," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act to vest certain houses and tenements, in the town of Alexandria, in John Sutton and his heirs in fee simple."

*Ordered*, That Mr. Tyler do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "directing the money arising from the sales of the estate of John Meacom, deceased, to be paid to his widow and children," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act directing the money arising from the sales of the estate of John Meacom, deceased, to be paid to his widow and children."

An engrossed bill, "for adding part of the county of Augusta to the county of Monongalia," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act, for adding part of the county of Augusta to the county of Monongalia."

*Ordered*, That Mr. Tyler do carry the bills to the Senate, and desire their concurrence.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolution for renewing the warrant granted to Daniel Hicks, a door-keeper to this House, for his wages at the last session. And then he withdrew.

A message from the Senate by Mr. Rutherford:

MR. SPEAKER,—The Senate have agreed to the resolution for presenting a standard to Col. Lawson's legionary corps. And then he withdrew.

*Ordered*, That Mr. Wall have leave to be absent from the service of this House until Monday se'nnight.

Several petitions of sundry inhabitants of the county of Cumberland, whose names are thereunto subscribed, was presented to the House, and read, in opposition to a petition of sundry other inhabitants of the same county, praying that non-juring clergymen of every denomination may be silenced, that non-jurors shall pay double taxes, and be precluded the exercise of either of the professions of law or physic.

*Ordered*, That the said petitions be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Elizabeth Crowley, was presented to the House, and read; setting forth, that the allowance heretofore made her for the support of herself and five small children, in consideration of the death of her husband, who was killed in the service, is become inadequate to the purpose; and praying farther relief.

Also, a petition of James Armstrong; setting forth, that in an expedition to suppress certain tories, his horse was stolen by them; and praying to be paid his valuation.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Buckingham, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the act some time since passed "for discriminating certain individuals to serve as soldiers for a fixed period," was in their opinions partial, impolitic and unjust; that it has nearly spent its force and operated with little effect or benefit to the State; and praying that the said act may be repealed.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Dixon:

MR. SPEAKER,—The Senate are satisfied with the nomination of persons to be ballotted for as a Judge of the High Court of Chancery, and have no other person to add thereto. And then he withdrew.

Mr. Richard Lee reported, from the committee of Trade; that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of James Chambers, setting forth, that in the year 1779, he enlisted as a soldier in the continental service, under Captain Eppes; that in the defeat of Col. Buford

to the southward, he had the misfortune to lose his right arm, part of his left hand, and also to receive a bad wound in the back part of his neck; that upon application to his excellency the Governor, he was pleased to order him a suit of clothes, which he received; that he has no mode by which he can secure to himself a subsistence; and praying that an allowance may be made him for his immediate support, is reasonable; and that the petitioner ought to be allowed the sum of 500*l*. for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of James Murphy, setting forth, that he enlisted as a soldier in the continental service; that in the defeat of Col. Buford to the southward, he had the misfortune to lose his right arm; and praying relief is reasonable; and that the petitioner ought to be allowed the sum of 500*l*. for his present relief, and also to draw from the public store, a full suit of clothes.

*Resolved, that it is the opinion of this committee,* That the petition of William Tipton, setting forth, that he enlisted as a soldier in the continental service; that in the battle at the Savannah, he had the misfortune to receive three wounds, one of which was in his right shoulder, which renders him incapable of procuring a livelihood by labor, and praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 500*l*. for his present relief, and also to draw from the public store a full suit of clothes.

*Resolved, that it is the opinion of this committee,* That the petition of Stephen Terry, praying a farther allowance in addition to that made him at a former Assembly, in consideration of a wound which he received in his right arm, at the battle of Brandywine, while a soldier in the continental service, is reasonable; and that the petitioner ought to be allowed the sum of 500*l*. for his present relief.

*Ordered,* That Mr. Richard Lee do carry the resolutions to the Senate, and desire their concurrence.

The House proceeded, according to the order of the day, by joint ballot with the Senate, to the choice of a judge of the High Court of Chancery, to supply the vacancy occasioned by the death of Robert Carter Nicholas, Esq.; and the members having prepared tickets with the name of the persons to be appointed, and deposited the same in the ballot glasses, Messrs. Starke, Lyne and Hardy, were nominated a committee to meet a committee from the Senate, and jointly with them examine the ballot glasses, and report to the House on whom the majority of votes should fall.

*Ordered,* That Mr. Starke do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House, and reported, that they had, according to order, met a committee from the Senate in the conference chamber, and jointly with them examined the ballot glasses, and found a majority of votes in favor of John Blair, Esq.

*Resolved,* That John Blair, Esq. be appointed a judge of the High Court of Chancery, in the room of Robert Carter Nicholas, Esq. deceased, he being so elected, by joint ballot of both Houses of Assembly.

*Ordered,* That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolution, appointing John Blair, Esq. a judge of the High Court of Chancery. And then he withdrew.

*Resolved,* That this House will, on Saturday next, proceed by joint ballot with the Senate, to the choice of a judge of the General Court, in the room of John Blair, Esq. appointed a judge of the High Court of Chancery.

*Ordered,* That Mr. Starke do acquaint the Senate therewith.

Mr. Starke, according to the order of the day, reported from the committee of the whole House, the amendments made yesterday to the bill "for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered,* That the bill, with the amendments, be engrossed and read the third time.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

## FRIDAY, November 24, 1780.

A bill "for dividing the county of Brunswick, into two distinct counties;" was read the second time, and ordered to be engrossed and read the third time.

*Ordered,* That Mr. Moore have leave to be absent from the service of this House, until Monday se'nnight; and Mr. Chilton for the remainder of the session.

Mr. Henry presented, according to order, a bill "for granting a pardon to certain offenders;" and the same was received and read the first time, and ordered to be read a second time.

An engrossed bill, "to explain and amend the act, for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last;" was read the third time.

*Resolved,* That the bill do pass; and that the title be, "an act for calling in and redeeming the money now in

circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to proceed, to-morrow, by joint ballot with this House, to the choice of a judge of the General Court, in the room of John Blair, Esq. appointed a judge of the High Court of Chancery. And then he withdrew.

A petition of John Dunlap and James Hayes, was presented to the House, and read; setting forth, that in consequence of application made to them by the Governor, to settle a press and undertake the public printing business in this State, they shipped a costly printing apparatus with materials of great worth, on board the Bachelor, a ship belonging to Philadelphia, in order to begin a business in this Commonwealth, intending to rely wholly on the justice and liberality of the General Assembly, as to the salary or wages they should receive for the same; that the said ship after her arrival in the bay, was driven on shore by stress of weather, and taken by the enemy, whereby the printing apparatus and materials aforesaid, were lost to the petitioners; and praying such relief, as may enable them again to make an effort to engage in the public printing business of this State.

*Ordered*, That the said petition be referred to Messrs. Richard Henry Lee, Tazewell, Carrington, Strother, Mumford and Reid; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the committee of the whole House be discharged from proceeding on so much of the letters and papers from the Governor to them referred, as respects the engagement made by the executive with Messrs. Dunlap and Hayes for fixing a printing press in this State; and that the same be referred to the committee on the foregoing petition.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate have agreed to the bill "for the manumission of certain slaves;" also, to the bill "directing the money arising from the sales of the estate of John Meacon, deceased, to be divided among his widow and children;" and they have agreed to the resolution, for giving to each of the door-keepers of the General Assembly, a suit of clothes and great coat, with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment, and the same being read was agreed to.

*Ordered*, That Mr. Lyne do acquaint the Senate therewith.

The House proceeded to nominate persons proper to be ballotted for as a Judge of the General Court.

*Ordered*, That Mr. Richard Henry Lee do carry a list of the persons so nominated to the Senate.

*Ordered*, That a committee be appointed to examine the Treasurer's accounts.

And a committee was appointed, of Messrs. Carrington, Pride, Reynolds, Edmondson, Talbot, Nicholas Cabell, Fleming, Starke, Pickett and Wall.

*Ordered*, That a message be sent to the Senate, to inform them that this House hath appointed a committee to examine the treasurer's accounts; and if they please to appoint a committee of their House for that purpose, both committees may proceed to do business together.

*Ordered*, That Mr. Carrington do carry the said message.

The Speaker laid before the House a letter from the Governor, enclosing a letter and requisition from Major General Green, on the subject of men and supplies for the southern army; which were read, and ordered to be referred to the committee for Courts of Justice.

*Ordered*, That leave be given to bring in a bill, "to amend an act, entitled 'an act to amend an act, entitled 'an act concerning highways, mill-dams and bridges;'" and that Messrs. Lyne, Fleming, Pickett, Pride, Field, and Joseph Cabell, do prepare and bring in the same.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the letter from Richard Claiborne, Esq. late deputy quartermaster general to the continental army, to them referred, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, and is as followeth:

*Resolved*, that it is the opinion of this committee, That the requisitions contained in the letter from the said Richard Claiborne, Esq. are amply provided for by two acts of Assembly, passed at the sessions of May and October, in the year 1779.

And the said resolution being read a second time, was ordered to be recommitted to the same committee.

Mr. Lyne presented, according to order, a bill, "to amend an act entitled, 'an act to amend an act, entitled 'an act concerning highways, mill-dams and bridges;'" and the same was received and read the first time, and ordered to be read a second time.

A memorial of sundry mechanics of the borough of Winchester, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they conceive every encouragement ought to be given to manufactures, and a foundation laid for establishing them in future; that they have experienced great obstruction and inconvenience by the laws, admitting the enlistment of apprentices, and useful manufactures are thereby considerably injured; and praying that no apprentice may be permitted to enlist into the army of the United States, or of the Commonwealth, without his master's consent.



*Ordered*, That the said memorial be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

SATURDAY, November 25, 1780.

An engrossed bill, "for dividing the county of Brunswick into two distinct counties," was read the third time, and the blanks being filled up;

*Resolved*, That the bill do pass; and that the title be, "an act for dividing the county of Brunswick into two distinct counties."

*Ordered*, That Mr. Tyler do carry the bill to the Senate, and desire their concurrence.

The Speaker laid before the House a letter from the Governor, respecting the horses belonging to the officers of the State Convention troops; which was read and ordered to lie on the table.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the petition of William Mitchell, to them referred, and had agreed upon a report, and come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, that the petitioner being quartermaster of the garrison at Yorktown, purchased of Mr. William Plume sundry oak trees, for the use of the fortifications at that place; that the said trees being on the land of one James Cosby, of whom the said Plume (as a tanner) had purchased them for the use of the bark, the petitioner obtained of the commanding officer a detachment from a company of artificers, to whom he gave instructions for hauling in the said oak trees; that the said artificers, by mistake or neglect of their officer, cut down a few pine trees from off the land of the said James Cosby, leaving the oak trees which the petitioner had purchased, and brought them to York, where they were used in the fortifications.

It also appears to your committee, that the said James Cosby brought his suit for a trespass, against the petitioner as quartermaster, and obtained judgment against him in the county court of York for 189*l*. 3*s*. 0*d*. damages and costs of suit.

It farther appears to your committee, that Henry Tazewell, Esq. attorney for the said Cosby, has received the amount of the said judgment and costs.

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the petition of the said William Mitchell, praying to be reimbursed by the public, the said sum of 189*l*. 3*s*. 0*d*. is reasonable.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A bill "for granting pardon to certain offenders," was read the second time, and ordered to be committed to a committee of the whole House on Tuesday next.

A bill "to amend an act, entitled 'an act to amend an act, entitled, 'an act concerning highways, mill-dams and bridges,'" was read the second time, and ordered to be committed to Messrs. Lyne, Fleming, Pickett, Pride, Field, and Joseph Cabell.

A message from the Senate by Mr. Matthews:

MR. SPEAKER,—The Senate have agreed to the bill "for adding part of the county of Augusta to the county of Monongalia," with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment, and the same being read, was agreed to.

*Ordered*, That Mr. Tyler do acquaint the Senate therewith.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate are satisfied with the nomination for a Judge of the General Court, and have no person to add thereto. And then he withdrew.

*Ordered*, That the committee for Courts of Justice be discharged from reporting from the Journals of the last session the several petitions and propositions then depending and undetermined, and that such petitions and propositions be delivered by the clerk, of course, to the proper committees.

A petition of William Bently, was presented to the House, and read; setting forth, that in the month of June last, a young negro man slave, belonging to the petitioner ran away, and being outlawed, was in the month of October following, shot at and mortally wounded; and praying to be made compensation for his loss.

Also, a petition of William Andrews; setting forth, that being a serjeant in the 5th Virginia regiment, he received a wound in his body, by a bullet, in the attack at Stony Point, which disables him from obtaining a livelihood by labor; and praying relief.

Also, a petition of Richard Murray; setting forth, that in the defeat of Col. Buford's regiment to the southward, he received three wounds, which have disabled him from obtaining a livelihood by labor; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Messrs. Lyne and Bibb, have leave to be absent from the service of this House, until Monday se'nnight.

The House, according to the order of the day, proceeded by joint ballot with the Senate, to the choice of a Judge of the General Court, in the room of John Blair, Esq. appointed a Judge of the High Court of Chancery; and the members having prepared tickets, with the name of the person to be appointed, and deposited the same in the ballot glasses, Messrs. Richard Henry Lee, Starke, and Joseph Jones of King George, were nominated a committee to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and report to the House on whom the majority of votes should fall.

*Ordered*, That Mr. Richard Henry Lee do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House, and reported, that they had, according to order, met a committee from the Senate in the conference chamber, and jointly with them examined the ballot glasses, and found a majority of votes in favor of William Fleming, Esq.

*Resolved*, That William Fleming, Esq. be appointed a Judge of the General Court in the room of John Blair, Esq. appointed a Judge of the High Court of Chancery, he having been so elected by joint ballot of both Houses of Assembly.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence. 666.31.

*Ordered*, That leave be given to bring in a bill "to extend the jurisdiction of a single magistrate in certain cases;" and that Messrs. Hunter, Steven, Tyler, and Richard Lee, do prepare and bring in the same.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read;

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday, 12 o'clock.

#### MONDAY, November 27, 1780.

*Ordered*, That leave be given to bring in a bill "to regulate the election of members of the General Assembly;" and that Messrs. Starke, Richard Henry Lee, Pride, William Mayo, jun. Braxton, Washington, Holmes, Lewis, and Landon Carter, do prepare and bring in the same.

Mr. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration, the petition of the vestry of the parish of Albemarle, in the county of Sussex, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of the vestry of the said parish of Albemarle, in the county of Sussex, praying that the same may be dissolved, is reasonable.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution, and that the committee for Religion do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "to amend the act, 'for giving farther time to delinquent counties to pay their specifick tax;" and that Messrs. Madison and Trigg, do prepare and bring in the same.

A memorial of sundry inhabitants of the western frontier, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they remain greatly exposed to the depredations and incursions of the Indian enemy, notwithstanding the various plans, offensive and defensive, that have been formed for their defence; that they are of opinion, a force of volunteers to serve without pay, provisions being furnished them by the public, might be raised, sufficient to extirpate the hostile tribes; and praying that some plan may be devised for their better security.

*Ordered*, That the said memorial be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. King have leave to be absent from the service of this House, until Thursday se'nnight.

*Ordered*, That leave be given to bring in a bill "to empower the court of Greenbrier county to have a wagon road opened from their courthouse to the eastern waters;" and that Messrs. Reid, Madison, and Zachariah Johnson, do prepare and bring in the same.

Mr. Starke presented, according to order, a bill "for recruiting this State's quota of troops to serve in the continental army;" and the same was received and read the first time, and ordered to be read a second time.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

TUESDAY, November 28, 1780.

The Speaker laid before the House a letter from James Henry, Esq. one of the delegates of this Commonwealth in Congress, containing his resignation of that appointment, which was read, and ordered to lie on the table.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolution, appointing William Fleming Esq. a judge of the General Court.

Also, they have agreed to the bill, "to explain and amend the act, for calling in, and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last." And then he withdrew.

A bill, "for recruiting this State's quota of troops to serve in the continental army," was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill "to vest certain houses and tenements, in the town of Alexandria, in John Sutton and his heirs in fee simple." And then he withdrew.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the bill "for dividing the county of Brunswick into two distinct counties" with several amendments, to which they desire the concurrence of this House.

Also, they have agreed to several resolutions, for granting certain sums of money to James Chambers, James Murphy, William Tipton, and Stephen Terry, wounded soldiers, for their present relief. And then he withdrew.

The House proceeded to consider the amendments of the Senate, to the bill "for dividing the county of Brunswick into two distinct counties;" and the same being read, were agreed to.

Ordered, That Mr. Tyler do acquaint the Senate therewith.

The Speaker laid before the House a letter from the Governor, enclosing extracts of letters from Major Kirkpatrick and General Nelson, respecting certain persons who had aided and countenanced the enemy, which were read, and ordered to lie on the table.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved, that it is the opinion of this committee,* That the petition of Elizabeth Crowley; setting forth, that her husband was appointed a spy in the expedition undertaken by General Lewis at the point, against the Indians in the year 1774; that he was unfortunately killed in the said expedition, and in consequence thereof she was allowed the sum of 25*l.* for her then present relief, and the farther sum of 10*l.* per annum during the term of ten years, for the maintenance and education of her children; that by reason of the extraordinary and unexpected depreciation of the money, the said annuity is become inadequate to the purpose for which it was granted her; and praying an additional allowance, is reasonable; and that the petitioner ought to be allowed the sum of 500*l.* for her present relief.

*Resolved, that it is the opinion of this committee,* That the petition of William Andrews, late a serjeant in the 5th Virginia regiment; praying an allowance may be made him in consideration of a wound which he received in his body at the battle of Stony Point, and in consequence thereof, is rendered incapable of procuring a livelihood by labor, or to travel without the assistance of crutches, is reasonable; and that the petitioner ought to be allowed the sum of 500*l.* for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of Richard Murray, setting forth, that he enlisted as a soldier in the year 1775, under the late Col. Richard Parker; that he was in the late massacre of Col. Buford's regiment to the southward, at which time he had the misfortune to receive three wounds in his body, and one in his left hand, which has rendered him incapable of supporting himself by labor; and praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 500*l.* for his present relief.

The 1st and 3d resolutions were read a second time, and on the question put thereupon, agreed to by the House.

The 2d resolution was read a second time, and ordered to be recommitted to the same committee.

Ordered, That Mr. Richard Lee do carry the 1st and 3d resolutions to the Senate, and desire their concurrence.

Ordered, That Mr. Newsum, have leave to be absent from the service of this House, until this day fortnight; and Mr. Martin for the remainder of the session.

A motion was made, that the House do come to the following resolution:

*Resolved,* That the Governor and Council be desired to lay before the House, the returns from the several commissioners of this State, of provisions procured agreeable to the acts of the last session of Assembly, and the manner in which the same have been applied.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for granting pardon to certain offenders;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fleming reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made an amendment thereunto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House.

Ordered, That the bill, with the amendments, be engrossed and read the third time.



The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read;

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

### WEDNESDAY, November 29, 1780.

*Ordered*, That Mr. Joseph Cabell have leave to be absent from the service of this House for the remainder of the session.

Mr. Richard Henry Lee presented, from the committee of Propositions and Grievances, according to order, a bill "for ascertaining the centre of the county of Stafford, and for other purposes;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Richard Henry Lee presented, from the committee of Propositions and Grievances, according to order, a bill "to amend an act, entitled 'an act to amend the several acts of Assembly, respecting the inspection of tobacco;" and the same was received and read the first time, and ordered to be read a second time.

A petition of Abraham Davis, was presented to the House, and read; setting forth, that being a soldier in the continental army, he was in the defeat of Col. Buford's regiment at the Hanging Rock, and received thirteen wounds, one of which was in his left arm, and totally disables him from obtaining a livelihood by labor; and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry members of the society of people called Quakers, was presented to the House, and read; setting forth, that being solicitous to act up to the great principle, that freedom is the natural rights of all mankind, they some time since prohibited their members from purchasing slaves; that many of their members, acting upon this principle, had by will, directed the manumission of their slaves, under such restrictions as might prevent public inconvenience, but that such manumissions wanting the sanction of law, have been generally defeated by executors and others; and praying that the members of that persuasion, or of any other, may be legally authorised to manumit their slaves in such manner as will prevent injury to the community.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill "concerning widows, orphans, and legatees;" and that Messrs. Tyler, Joseph Jones of King George, and Tazewell, do prepare and bring in the same.

*Ordered*, That the public printer be directed to strike one hundred copies of the act "to explain and amend the act 'for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last."

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for recruiting this State's quota of troops to serve in the continental army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fleming reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

*Ordered*, That the committee of Propositions and Grievances be discharged from proceeding on the petition of John Meade, to them referred, and that the said petition be referred to the committee of Trade.

*Ordered*, That Mr. Talbot be added to the committee of Trade.

A petition of William Crayton, was presented to the House, and read; setting forth, that being a soldier of this State in the continental army, he was in the defeat of Col. Buford's regiment, and received seven wounds, one of which cut the leaders of his left arm, and had totally disabled him from labor; and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Hunter presented, according to order, a bill "to extend the jurisdiction of a single magistrate in certain cases;" and the same was received and read the first time, and ordered to be read a second time.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

THURSDAY, November 30, 1780.

*Ordered*, That the committee appointed to bring in a bill "for a public supply," be instructed to receive a clause or clauses, empowering the sheriffs and other public collectors, to receive the certificates granted under the acts and resolutions of the last and present sessions of Assembly, for provisions and other articles furnished the public, in discharge of taxes.

An engrossed bill, "for granting pardon to certain offenders," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act for granting pardon to certain offenders."

*Ordered*, That Mr. Henry do carry the bill to the Senate, and desire their concurrence.

A bill, "for ascertaining the centre of the county of Stafford, and for other purposes," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "to amend an act, entitled 'an act to amend the several acts of Assembly, respecting the inspection of tobacco,'" was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "to extend the jurisdiction of a single magistrate in certain cases," was read the second time, and ordered to be engrossed and read the third time.

The Speaker laid before the House a letter from the Governor, enclosing a representation made to the executive, respecting the rank of the officers of the two State regiments; and also, a report made to Major General Baron Steuben, by Col. Senf, engineer general of the Southern department, which were read;

*Ordered*, That the report made by Col. Senf to Major General Baron Steuben, do lie on the table.

*Ordered*, That a committee of Arrangement for the army, be appointed.

And a committee was appointed, of Messrs. Richard Henry Lee, John Taylor of Caroline, Stevens, Hunter, Fitzhugh, Holmes, Baker, Braxton, and Francis Peyton.

*Ordered*, That so much of the Governor's letter and enclosures, as respects the rank of the officers of the two State regiments, be referred to the committee of Arrangement.

*Ordered*, That the committee of the whole House, be discharged from proceeding on so much of the letters and papers to them referred, as respects the arrangement of the army; and that the same be referred to the committee of Arrangement.

*Ordered*, That the committee appointed to prepare and bring in a bill "for recruiting the army," be discharged from proceeding on the letter from Major Nelson, to them referred, and that the said letter be referred to the committee of Arrangement.

*Ordered*, That Mr. Hutchings be added to the committee appointed to prepare a plan of defence for the eastern frontier.

A message from the Senate by Mr. Matthews:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to Richard Murray, a wounded soldier, for his present relief; also, to the resolution for paying a sum of money to Elizabeth Crowley, widow of a deceased soldier, for her present relief, with an amendment; to which they desire the concurrence of this House. And then he withdrew.

A motion was made, that the House do come to the following resolutions:

*Resolved*, That the Assembly have an high sense of the patriotic exertions of the volunteers under Gen. Lawson, and wish to render them every proof of their approbation; but as the said volunteers have been delayed in their march to Carolina, by the invasion of this State, whereby their time of service is considerably lessened, as a scarcity of provisions makes it necessary that every aid should be effectual, and as the great difficulty of procuring forage will make it imprudent to carry cavalry into Carolina;

*Resolved*, That the Governor be desired to discharge the said volunteers, unless they shall agree to serve during the southern campaign, to be ascertained by the commanding officer in that department.

And the said resolutions being read a second time, were amended and agreed to by the House.

*Ordered*, That Mr. Talbot do carry the resolutions to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for recruiting this State's quota of troops, to serve in the continental army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fleming reported, that the committee had, according to order, again had the said bill under their consideration, and made a farther progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

FRIDAY, December 1, 1780.

An engrossed bill, "to extend the jurisdiction of a single magistrate in certain cases," was read the third time. *Resolved*, That the bill do pass; and that the title be, "an act to extend the jurisdiction of a single magistrate in certain cases."

*Ordered*, That Mr. Hunter do carry the bill to the Senate, and desire their concurrence.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Abraham Davis; setting forth, that in August, 1779, he enlisted as a soldier in the continental service, under Capt. Catlett, that he was in the defeat of Colonel Buford to the southward, and at that time had the misfortune to receive 13 wounds, one of which was in his left arm, which renders him incapable of supporting himself by labor, and praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 500*l*. for his present relief.

*Resolved*, that it is the opinion of this committee, That the petition of John Banks, setting forth, that he enlisted as a soldier in the regiment of regular guards at the barracks in Albemarle, that while in service he got crippled by the fall of a log across his back, which has rendered him incapable of procuring a livelihood by labor, and praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 300*l*. for his present relief.

*Ordered*, That Mr. Richard Lee do carry the resolutions to the Senate, and desire their concurrence.

The House proceeded to consider the amendment of the Senate to the resolution for paying a sum of money to Elizabeth Crowley, widow of a deceased soldier, for her present relief; and the same being read, was agreed to.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the present situation of affairs renders it proper and necessary, to make a representation of the state of the war on the southern part of the continent in all its circumstances, to our good and great allies of France and Spain, requesting them to join to our strenuous efforts such aids as may be effectual for expelling the common enemy from their late conquests in that quarter, and that the delegates from this State in Congress, be instructed accordingly.

*Resolved*, That the General Assembly will appoint some proper person to repair to Congress, to lay before them a clear state of the war in this quarter; the resources of this State, in men, money, provisions, clothing, and other necessities; and to solicit the necessary aids, either from our sister States or European allies; and to concert with Congress, the minister of France, or General Washington, the proceedings necessary in the present conjuncture of affairs in the south.

And the said resolutions being severally read a second time, were ordered to lie on the table.

A message from the Senate by Mr. Mathews:

MR. SPEAKER,—The Senate have agreed to the resolution for discharging the volunteers under General Lawson, with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment, and the same being read was agreed to.

*Ordered*, That Mr. Talbot do acquaint the Senate therewith.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, to whom the bill "for ascertaining the centre of the county of Stafford, and for other purposes," was committed, that the committee had, according to order, had the said bill under their consideration, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

*Ordered*, That Mr. Fleming have leave to be absent from the service of this House, until Monday next; and Mr. Reynolds, until Monday fortnight.

*Ordered*, That Messrs. Tazewell, Baker and Stephens, be added to the committee appointed to prepare a plan of defence for the eastern frontier.

A motion was made, that leave be given to bring in a bill "to amend the act 'to prevent excessive gaming;'" and the question being put, that leave be given to bring in the bill,

It passed in the negative.

A petition of Andrew Telford and James Telford was presented to the House, and read; setting forth, that they are desirous from motives of public utility, to establish a factory of fire arms, provided that the persons of themselves, their apprentices, and workmen, are exempted from military service; and praying that an act may pass to that effect.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill, "for recruiting this State's quota of troops to serve in the continental army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, again had the said



bill under their consideration, and made a farther progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The order of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

## SATURDAY, December 2, 1780.

An engrossed bill, "for ascertaining the centre of the county of Stafford, and for other purposes," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass, and that title be, "an act for ascertaining the centre of the county of Stafford."

*Ordered*, That Mr. Richard Henry Lee do carry the bill to the Senate, and desire their concurrence.

The House being informed, that Mr. Robert Sayres, one of the members for the county of Montgomery, attended in custody of the sergeant at arms, and that there was good cause to excuse his absence when the House was called over on Friday the third ultimo;

*Ordered*, That the said Robert Sayres be discharged out of custody, without paying fees.

Mr. Richard Henry Lee reported, from the committee of arrangement for the army, that the committee had, according to order, had under their consideration the letters and papers to them referred, respecting the rank of the officers in the first and second State regiments, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, That his excellency the commander in chief, be requested to settle the rank of the first and second regiments of this State, which have been attached to the continental army, and if he shall be of opinion that they are entitled to continental commissions, to recommend them to Congress for that purpose, ascertaining the time when such commissions shall bear date, and saying whether such officers shall take promotion in the line of this State, or be confined to the said two regiments.

*Resolved*, That the Governor be requested to transmit the above resolution to General Washington.

*Ordered*, That Mr. Richard Henry Lee do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That Mr. Starke have leave to be absent from the service of this House until Tuesday next.

A petition of sundry inhabitants of the county of Northumberland, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they consider the present mode of appointing magistrates upon the recommendation of the county courts, as impolitic, and tending to introduce improper men into that important office; that in their opinions, the appointment by annual or triennial election of the people, would be more eligible; and praying that such mode may be adopted.

*Ordered*, That the said petition do lie on the table.

Mr. Carrington presented, from the committee for Religion, according to order, a bill "for dissolving the vestry of the parish of Albemarle, in the county of Sussex;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Carrington presented, from the committee for Religion, according to order, a bill "declaring what shall be a lawful marriage;" and the same was received and read the first time, and ordered to be read a second time.

The House proceeded to consider the resolutions which lay on the table, for representing to Congress a state of the war in the south, and calling for aid from our sister States or European allies.

And the same being read, were amended and agreed to, as followeth:

*Resolved*, That the present situation of affairs renders it proper and necessary to make a representation of the state of the war on the southern part of the continent, in all its circumstances, to our good and great ally, His Most Christian Majesty, and also to the Court of Spain, requesting them to join to our strenuous efforts such aids as may be effectual for expelling the common enemy from their late conquests in that quarter, and that the delegates for this State in Congress be instructed accordingly.

*Resolved*, That the General Assembly will appoint some proper person to lay before Congress a clear state of the war in this quarter, the resources of this State in men, money, provisions, clothing, and other necessities, and to solicit the necessary aids either from our sister States or European allies, and to concert with Congress, the minister of France, and General Washington, the proceedings necessary in the present conjuncture of affairs in the south.

*Ordered*, That Mr. Henry do carry the resolutions to the Senate, and desire their concurrence.

A petition of Mary O'hara, was presented to the House, and read; setting forth, that her husband and two sons were killed in the defeat of Col. Buford's regiment to the southward, that she is left with two young children destitute of the means of support; and praying relief.

Also, a petition of Harry Terrill; setting forth, that pursuant to orders from the commanding officer of Bedford

county, he conveyed a number of persons charged with treason to the public jail; that he presented his account for the expenses of himself and the guard who attended him, to the auditors of public accounts, who refused to allow more than one shilling and four pence each for the expense of themselves and horses per day; and praying such farther allowance as may be thought reasonable.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Madison presented, according to order, a bill "to amend the act for giving farther time to delinquent counties to pay their specific tax;" and the same was received and read the first time, and ordered to be read a second time.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also on the bill "for recruiting this State's quota of troops to serve in the continental army," being read;

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday, 12 o'clock.

### MONDAY, December 4, 1780.

The House being informed that Mr. Isaac Zane, one of the members for the county of Frederick, attended in custody of the serjeant at arms;

*Ordered*, That the said Isaac Zane be discharged out of custody, on paying fees.

A bill, "for dissolving the vestry of the parish of Albemarle, in the county of Sussex," was read the second time, and ordered to be engrossed.

A bill, "concerning marriages," was read the second time, and ordered to be committed to the committee for Religion.

A bill, "to amend the act for giving farther time to delinquent counties to pay their specific tax," was read the second time, and ordered to be committed to Messrs. Madison, Trigg, and Zachariah Johnston.

*Ordered*, That a committee be appointed to examine the enrolled bills.

And a committee was appointed, of Messrs. Munford, Pride, Rose, Tyler, Tazewell, Hardy, Reynolds and Hunter.

*Ordered*, That Mr. Edmondson have leave to be absent from the service of this House until Monday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also on the bill "for recruiting this State's quota of troops to serve in the continental army," being read;

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

### TUESDAY, December 5, 1780.

Mr. Pride reported, from the committee appointed to examine the enrolled bills, that the committee had examined several enrolled bills, and found them to be truly enrolled.

*Ordered*, That Mr. Pride do carry the bills to the Senate, for their inspection.

A petition of James Williams, was presented to the House, and read; setting forth, that while a soldier in the service of the Commonwealth, he became blind of his left eye, and sorely afflicted in the sight of the other, whereby he is disabled from laboring for his livelihood; and praying relief.

Also, a petition of James Day; setting forth, that while a soldier in Col. Buford's regiment, he got a hurt upon one of his legs, which hath disabled him from procuring a livelihood by labor, having neither money, property or friends, to assist him in its cure, that he is young, willing and able to labor for his own support, if he can again obtain the use of his leg; and praying relief to that effect.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Tyler reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petition of the mechanics in the borough of Winchester, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, and is as followeth:

*Resolved*, That so much of the said petition as prays for the exemption of mechanics' apprentices from being enlisted by recruiting officers, or hired as substitutes without the consent of their masters or parents, is reasonable.

The said resolution was read a second time, and the question being put, that this House doth agree to the same, It passed in the negative.

*Resolved*, That the resolution be rejected.

A message from the Senate by Mr. Mathews:

MR. SPEAKER,—The Senate have agreed to the resolutions for paying sums of money to John Banks and Abraham Davis, wounded soldiers, for their present relief; also they have agreed to the bill “to extend the jurisdiction of a single magistrate in certain cases.” And then he withdrew.

A petition of Reuben Counts was presented to the House, and read; in opposition to a petition of John Mayo, praying that a ferry may be established from his land at the falls of James river, on the south side thereof, to the land of the said Reuben Counts, on the north side.

Also, a petition of sundry inhabitants of the county of Greenbrier, whose names are thereunto subscribed; setting forth, that they have been aggrieved in the execution of the act “for establishing a Land Office,” by the manner in which claims were heard and determined before the commissioners; and praying that they may be authorised to institute suits upon all claims in which they have been aggrieved; representing also, that they labor under great inconveniences for want of a wagon road from their courthouse to the eastern waters; and praying that such a road may be opened, and the expense thereof defrayed by a tax on the inhabitants of the said county.

Ordered, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolution, for making compensation to Messrs. Smith and Triplett, inspectors at Leed's warehouses for tobacco stolen thereout. And then he withdrew.

Ordered, That a writ issue for the election of a delegate to serve in this present General Assembly, for the county of Goochland, in the room of Mr. Thomas Underwood, who hath accepted of a sheriff's commission.

Ordered, That Mr. Talbot be added to the committee of Propositions and Grievances.

An engrossed bill, “for dissolving the vestry of the parish of Albemarle, in the county of Sussex,” was read the third time, and the blanks therein filled up.

Resolved, That the bill do pass; and that the title be “an act for dissolving the vestry of the parish of Albemarle in the county of Sussex.”

Ordered, That Mr. Carrington do carry the bill to the Senate, and desire their concurrence.

Mr. Tyler reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration, the petition of John Mayo and others, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, and is as followeth:

*Resolved, that it is the opinion of this committee, That the petition of the said John Mayo and others, setting forth, that travellers and others who cross at the falls of James river, experience great inconvenience from the delay of the present ferry; and praying that another ferry may be established from the land of the said John Mayo on the south side of the said river, to his lot in Richmond and the Sandy Bar on the north side, is reasonable.*

The said resolution was read a second time, and ordered to be recommitted to the same committee.

Mr. Fleming presented, according to order, a bill “for procuring a supply of money for the exigencies of the war;” and the same was received and read the first time, and ordered to be read a second time.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, several petitions to them referred, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, that during the last summer, there were committed to the petitioner's care as keeper of the jail of the county of Bedford, the following persons, as well on suspicion of treasonable practices against the State, as other offences, to wit: Robert Meade, Owen Owens, John Webber, David Rust, Josiah Maxey, Lake Harding, John Craighead, Peter Funk, Martin Mason, Shadrack Claywell, John Dodd, James Snow, Sylvester Massey, Thomas Massy, John Kelly, William Lucas, Peter Rust, William Harris, John Treeble, John Beachboard, Peter Claywell, James Smith, Thomas Overstreet, jun. William Overstreet, John Cundiff, John Keith, John Hail, John Ayres, John Owen, Thomas German, Weyman Sinclair, Edward Orr, Joseph Greer, Slewman Rees, David Farmer, James Pratt, Joseph Wilson, Stephen White, William Hurt, William Mead, jun. Peter Daniel, jun. John Welch, John Wilks, Samuel Huddleston, Peter Woode, Randolph Richeson, John Bourden, Josiah Meadows, Anthony Epperson, Bernard Feazle, Jacob Feazle, Richard Bandy, William Watts, Abraham Huddleston, William Huddleston, William Checke, Thomas Hunt, John Trent, Samuel Siles, Gilbert Mason, Christopher Slinker, Rowland Wheeler, John Bradshaw, John Blankenship, Thomas Watts, Nathan Greere, Robert Meade, Henry English, Stephen English, Robert Cowan, Richard Trimble, John Paine, Daniel Warren, Edward Burgess, and Samuel Fielder.

It also appears to your committee, that the said persons remained in the petitioner's custody and keeping, the term of eighteen days, during which time they were furnished with good and wholesome diet, to procure which put the petitioner to great expense and trouble.

It further appears to your committee, that the petitioner's account for the maintenance of the said persons, during the said term, amounted to the sum of 9002 $\frac{1}{2}$  10s., which the court of the said county of Bedford, certified as reasonable. It also appears to your committee, that upon application being made to the auditors of public accounts, for a warrant for the amount of the said account, they refused to grant the same, and would only allow the petitioner the ordinary fees for criminals.



Whereupon, your committee came to the following resolution:

*Resolved, that it is the opinion of this committee,* That the petition of the said John Meade, praying to be reimbursed the expense which he incurred in maintaining the said Robert Mead, Owen Owens, John Webber, David Rust, Josiah Maxey, Lake Harding, John Craighead, Peter Funk, Martin Mason, Shadrack Claywell, John Dodd, James Snow, Sylvester Massy, Thomas Massy, John Kelly, William Lucas, Peter Rust, William Harris, John Treeble, John Beachboard, Peter Claywell, James Smith, Thomas Overstreet, jun. William Overstreet, John Cundiff, John Keith, John Haile, John Ayres, John Owen, Thomas German, Weyman Sinclair, Edward Orr, Joseph Greer, Slowman Rees, David Farmer, James Pratt, Joseph Wilson, Stephen White, William Hurt, William Mead, jun. Peter Daniel, jun. John Welch, John Wilks, Lemuel Huddleston, Peter Woode, Randolph Richeson, John Bourden, Josiah Meadows, Anthony Epperson, Bernard Feazle, Jacob Feazle, Richard Bandy, William Watts, Alexander Huddleston, William Huddleston, William Cheeke, Thomas Hunt, John Trent, Samuel Stiles, Gilbert Mason, Christopher Slinker, Rowland Wheeler, John Bradshaw, John Blankenship, Thomas Watts, Nathan Greere, Robert Meade, Henry English, Stephen English, Robert Cowan, Richard Trimble, John Payne, Daniel Warren, Edward Burgess, and Samuel Fielder, during the said term of eighteen days; and that a reasonable allowance may be made him for his trouble, is reasonable; and that the petitioner ought to be allowed the sum of 3*l.* 12*s.* per day, for the maintenance of each of the said persons, amounting in the whole to the sum of 6,480*l.*

*Resolved, that it is the opinion of this committee,* That the petition of William Crayton; setting forth, that he hath faithfully served the United States as a soldier for the term of three years and six months; that he was in the defeat of Col. Buford to the southward, and at that time had the misfortune to receive seven wounds, one of which cut the leaders of his left arm, by which he is rendered incapable by hard labor of supporting himself, his wife, and four small children, and praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 300*l.* for his present relief.

The 1st resolution was read a second time, and ordered to be recommitted to the same committee.

The 2d resolution was read a second time, and on the question put thereupon, agreed to by the House.

*Ordered,* That Mr. Richard Lee do carry the 2d resolution to the Senate, and desire their concurrence.

The Speaker laid before the House a letter from the Governor, enclosing one from Theoderick Bland, Esq. a delegate of this State in Congress, respecting the claim of the Indiana Company; which were read, and ordered to lie on the table.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petition of sundry members of the society of people called Quakers to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee,* That so much of the said petition as requires the manumission of certain slaves, who have been declared free by the last wills and testaments of their deceased owners under certain restrictions and limitations, is reasonable.

*Resolved, that it is the opinion of this committee,* That such other parts of the said petition, as require that all slaves heretofore manumitted under the hand and seal of their respective owners, shall be declared free; and that so much of the said petition as applies for a privilege to be extended to this case, is reasonable.

*Resolved, that it is the opinion of this committee,* That such other parts of the said petition as require that a general license may be granted to the society of Quakers, for emancipating all their slaves, be rejected.

*Ordered,* That a bill or bills, be brought in pursuant to the 1st and 2d resolutions; and that the committee of Propositions and Grievances, do prepare and bring in the same.

Mr. Reid presented, according to order, a bill "to empower the Court of Greenbrier county, to have a wagon road opened from their courthouse to the eastern waters;" and the same was received and read the first time, and ordered to be read a second time.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also on the bill "for recruiting this State's quota of troops to serve in the continental army," being read,

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

WEDNESDAY, December 6, 1780.

A bill, "for procuring a supply of money for the exigencies of the war," was read the second time, and ordered to be committed to a committee of the whole House immediately.

The House accordingly, resolved itself into a committee on the said bill; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fleming reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein. but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

A bill, "to empower the court of Greenbrier county, to have a wagon road opened from their courthouse to the eastern waters," was read the second time, and ordered to be engrossed and read the third time.

A message from the Senate by Mr. Christian:

MR. SPEAKER,—The Senate have agreed to the resolution respecting the rank of the officers of the two States regiments. And then he withdrew.

Mr. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration the petition of sundry freeholders and inhabitants of the parish of Amherst, in the county of Amherst, to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of sundry the freeholders and inhabitants of the said parish of Amherst in the county of Amherst, whose names are thereunto subscribed, praying that an alteration may take place in the dividing line between the parishes of Lexington and Amherst in the said county, and that the said parishes may hereafter stand divided, by a line to be run agreeable to certain boundaries therein expressed, is reasonable.

*Ordered*, That a bill or bills, be brought in pursuant to the said resolution; and that the committee for Religion do prepare and bring in the same.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Bedford, praying that the said county may be divided by a line to begin at the lower end of Fleming's mountain on James river, thence along the said mountain to the high knob opposite Charles Bright's plantation, thence by a straight line to the mouth of M'Daniel's creek on Goose Creek, thence down Goose Creek to Staunton river, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of divers inhabitants of the said county of Bedford, in opposition thereto, be rejected.

*Ordered*, That a bill or bills, be brought in pursuant to the first resolution; and that the committee of Propositions and Grievances do prepare and bring in the same.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have examined several enrolled bills and find them to be truly enrolled, and they are signed by their Speaker. And then he withdrew.

The Speaker signed the following enrolled bills.

"An act to vest certain houses and tenements in the town of Alexandria in John Sutton and his heirs in fee simple." "An act for the manumission of certain slaves." "An act directing the money arising from the sales of the estate of John Meacom, deceased, to be paid to his widow and children." "An act for adding part of the county of Augusta to the county of Monongalia." "An act for dividing the county of Brunswick into two distinct counties." "An act to explain and amend the act for calling in and redeeming the money now in circulation, and for emitting and funding new bills of credit, according to the resolutions of Congress of the 18th of March last."

*Ordered*, That so much of the letters and papers from the Governor which lay on the table, as respects the issuing special commissions of Oyer and Terminer, for the trial of persons guilty of treason, be referred to the committee appointed to prepare and bring in a bill, "for extending the powers of the Governor and Council."

A petition of John Morgan was presented to the House, and read; setting forth, that in the defeat of Col. Buford's regiment to the southward, he received several wounds, which have disabled him from obtaining a livelihood by labor; and praying relief.

Also, a petition of Robert Sayers; setting forth, that he recruited a company of cavalry in the county of Montgomery, who were on constant duty, in suppressing the insurgents in this State and in North Carolina, and furnished their own arms and horses; and praying such satisfaction for their services as may be thought reasonable.

Also, a petition of Isaac Campbell, to the same effect.

Also, a memorial of Captain Samuel Finley, Captain Nathaniel Pendleton, and Lieutenant Henry Bedinger, of the Virginia line; setting forth, they have been confined four years within the enemy's lines at New-York, as prisoners of war, during which time they have received but a very small and insufficient supply of money for their support; that they have been necessarily constrained to contract debts where they were confined; and praying to be enabled as well to discharge such debts, as to equip themselves to join their respective regiments.

Also, a petition of John M'Kenney, setting forth, that the annuity heretofore allowed him in consideration of wounds received while a soldier in the service of the Commonwealth, hath become insufficient to the end; and praying farther relief.

*Ordered*, That the said petitions and memorial be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of George Moffett was presented to the House, and read; setting forth, that being sheriff of the county of Augusta, he is put to great inconvenience in the collection of the public taxes, through the largeness and extent

of the districts, which by law is confined to eight; and praying that the number of districts may be increased, so as to facilitate the assessors in their duty, and thereby accelerate the collection of the taxes, and that he may be otherwise relieved from the penalty of the law for failing to collect the same in due time.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Nathaniel West Dandridge, was presented to the House, and read; setting forth, that he is possessed of a valuable water grist mill, upon Mill Creek, in the county of Hanover, his interest in which hath been materially affected by another mill erected on the same stream of water, and about a mile above his mill, by John Boswell, gentleman, who sold the same together with the land adjoining to one Stanley, who sold to George Petty, Charles Thompson, and John Thompson, which being carried away in the month of October 1778, hath not been since rebuilt within the time limited by law, except by the appearance of several pieces of timber which have been carried thither by the said Petty and others, under the name of a mill-frame; and praying that the act of Assembly respecting the rebuilding of mills may be explained and amended, so as to afford relief to the petitioner in this case.

A motion was made, and the question being put that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also on the bill, "for recruiting this State's quota of troops to serve in the continental army," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

#### THURSDAY, December 7, 1780.

An engrossed bill, "to empower the court of Greenbrier county to have a wagon road opened from their courthouse to the eastern waters;" was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act to empower the court of Greenbrier county to have a wagon road opened from their courthouse to the eastern waters."

*Ordered*, That Mr. Reid do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "for granting pardon to certain offenders," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments, and the same being read, were agreed to.

*Ordered*, That Mr. Henry do acquaint the Senate therewith.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the bill "for ascertaining the centre of the county of Stafford," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read were agreed to.

*Ordered*, That Mr. Richard Henry Lee do acquaint the Senate therewith.

*Ordered*, That Mr. Buford have leave to be absent from the service of this House until this day fortnight.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for procuring a supply of money for the exigencies of the war;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tazewell reported, that the committee had, according to order, again had the said bill under their consideration, and gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

*Ordered*, That Messrs. Taylor (of Caroline), and Madison, be added to the committee of Courts of Justice.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the memorial of Captains Samuel Finley and Nathaniel Pendleton, and Lieutenant Henry Bedinger, officers of the Virginia line, to them referred, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as followeth:

It appears to your committee, that the memorialists have been confined four years at New York, as prisoners of war; that their particular situation obliged each of them to contract debts to the amount of forty or fifty pounds specie; that they were only furnished by the public during their confinement, with supplies to the amount of eighty pounds Virginia currency, each; and that they have not received the tobacco allowed them by a resolution of the last Assembly.

Whereupon, your committee came to the following resolutions:



*Resolved, that it is the opinion of this committee, That the memorial of the said Captains Samuel Finley and Nathaniel Pendleton, and Lieutenant Henry Bedinger, is reasonable.*

*Resolved, that it is the opinion of this committee, That his excellency the Governor, with the advice of Council, be desired to take proper measures to discharge the said several debts, which the memorialists have contracted during their confinement in New York, out of the tobacco due them by a resolution of the last Assembly.*

*Resolved, that it is the opinion of this committee, That the sum of fifteen thousand pounds be advanced by the public to each of the memorialists, upon account, for deficiency of clothing and pay due to them.*

The first and second resolutions were read a second time, and agreed to by the House.

The last resolution was read a second time, and ordered to be recommitted to the same committee.

*Ordered, That Mr. Richard Lee do carry the first and second resolutions to the Senate, and desire their concurrence.*

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, and on the bill "for recruiting this State's quota of troops to serve in the continental army," being read,

*Ordered, That the same be put off till to-morrow.*

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, December 8, 1780.

An engrossed bill, "for procuring a supply of money for the exigencies of the war;" was read the third time, and the blanks therein filled up.

A motion was made, and the question being put, that the said bill be amended, by striking out in the thirteenth line thereof, the words "in Spanish milled dollars or the value in gold or silver at the rate of one for forty;"

It passed in the negative.

Ayes 11

Noes 47

The names of the members who voted in the affirmative are, John Talbot, William Fleming, George Carrington, James Reid, William Norvell, Carter Braxton, Littleberry Mosby, Andrew Moore, John Rogers, Richard Henry Lee, and Henry Tazewell.

The names of the members who voted in the negative are, Messrs. Nicholas Lewis, Isaac Davis, John Pride, Zachariah Johnston, John Cunningham, Moses Hunter, John Wood, Thomas Madison, Joel Watkins, John Watkins, John Mayo, French Strother, Henry Hill, James Wray, Miles King, Thomas Napier, Isaac Zane, Joseph Holmes, Thomas Smith, Stephen Sampson, Parke Goodall, Richard Chapman, Turner Southall, Patrick Henry, George Lyne, Francis Peyton, John Garland, James Montague, Daniel Trigg, Richard Baker, Armistead Russell, Richard Burnley, Benjamin Lankford, Thomas Terry, William Mayo, jun. Lynaugh Helm, John Hooe, Williamson Ball, William Nalle, Benjamin Harrison, John Tipton, Thomas Allen, John Taylor, Bailey Washington, William Brown, Richard Lee and Aaron Lewis.

And then the question being put, that the said bill do pass,

It was resolved in the affirmative.

*Ordered, That Mr. Fleming do carry the bill to the Senate, and desire their concurrence.*

A message from the Senate by Mr. Mathews:

MR. SPEAKER,—The Senate have agreed to the resolution for paying William Crayton, a wounded soldier, the sum of 300*l*. for his present relief. And then he withdrew.

*Ordered, That Mr. Nicholas Cabell have leave to be absent from the service of this House, the remainder of the session.*

The Speaker laid before the House, a letter from the Governor, enclosing returns of the provisions obtained under the acts of the last session of Assembly; and the same were read, and ordered to lie on the table.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the bill, "for dissolving the vestry of the parish of Albemarle, in the county of Sussex." And then he withdrew.

The Speaker laid before the House, a letter from Col. Davis, respecting the recruits obtained under the act of the last session of Assembly, which was read, and ordered to be referred to the committee of Trade.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House, as followeth:

*Resolved, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Richmond, praying that the warehouses at Glascock's may be revived and established for the inspection of tobacco, and be under the same inspection with Deep creek warehouses, is reasonable.*

*Resolved, that it is the opinion of this committee, That the petition of divers inhabitants of the county of Lancas-*

ter, praying that the warehouses at Dymers's may be revived and established for the inspection of tobacco, and be under the same inspection with Indian creek warehouses, is reasonable.

*Resolved, that it is the opinion of this committee,* That the petition of Charles Cooper, praying to be allowed and paid for a house which he had contracted to build and had nearly completed, on the lot of James Guy, in the borough of Norfolk, and was burnt by order of Convention, is reasonable; and that the said Charles Cooper be allowed and paid by the public the sum of two hundred and fifty two pounds for the same, being the sum to which it was valued by the commissioners appointed to inquire into and ascertain the losses sustained by the late inhabitants of the said borough of Norfolk.

*Resolved, that it is the opinion of this committee,* That the petition of Andrew Armstrong, praying to be paid for three horses that died on his return from Fort Chiswell, to which place he had carried a wagon load of powder for public use, is reasonable; and that the petitioner ought to be allowed the sum of four thousand two hundred pounds for his said horses.

*Resolved, that it is the opinion of this committee,* That the petition of divers inhabitants of the county of Greenbrier, praying that those persons who may think themselves aggrieved by the judgment of the commissioners appointed to adjust and settle the titles of claimers to unpatented lands, may be allowed an appeal to the General Court, is reasonable.

*Ordered,* That the committee to whom the bill "to amend the act for reviving several public warehouses for the inspection of tobacco" was committed, do receive a clause or clauses, pursuant to the first and second resolutions.

*Ordered,* That Mr. Richard Henry Lee do carry the third and fourth resolutions to the Senate, and desire their concurrence.

*Ordered,* That a bill or bills, be brought in pursuant to the fifth resolution; and that the committee of Propositions and Grievances do prepare and bring in the same.

Mr. Richard Henry Lee presented, from the committee of Propositions and Grievances, according to order, a bill, "for granting freedom to slaves in certain cases;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered,* That Messrs. King and Taylor of Southampton, be added to the committee appointed to prepare a plan of defence for the eastern frontier.

A petition of James Moorman, Benjamin Johnson, John Venable, and James Tayton, legatees of Charles Moorman, deceased, was presented to the House, and read; setting forth, that the said Charles Moorman did by his will, devise to the petitioners certain slaves, and directed that his executors should make application to the General Assembly "for an act to manumit and set free the said slaves;" that they conceive themselves entitled to a fee simple estate in them; and praying that they may not be manumitted.

*Ordered,* That the said petition do lie on the table.

A petition of Anthony Bledsoe was presented to the House, and read; setting forth, that he acted as commissary to the commissioners and their guard, that run the boundary line between this State and North Carolina, and advanced considerable sums for that service, but hath received no compensation for his trouble; and praying such allowance as may be thought reasonable.

*Ordered,* That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Archibald Campbell was presented to the House, and read; setting forth, that he had a negro man slave condemned for felony, by the court of Amherst county, who escaped from jail between the day of sentence and the day of execution; that the auditors of public accounts, have refused to pay his valuation; and praying to be paid the same.

Also, a petition of John Hughes; setting forth, that the pension heretofore allowed him in consideration of the loss of his eye-sight, while a soldier in the service of the Commonwealth, hath become insufficient to the purpose; and praying further relief.

*Ordered,* That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also upon the bill "for recruiting this State's quota of troops to serve in the continental army," being read;

*Ordered,* That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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SATURDAY, December 9, 1780.

A bill, "for granting freedom to slaves in certain cases," was read the second time, and ordered to be committed to a committee of the whole House on Tuesday next.

Mr. Richard Henry Lee presented, from the committee of Propositions and Grievances, according to order, a

bill "for dividing the county of Bedford into two distinct counties;" and the same was received and read the first time, and ordered to be read a second time.

A motion was made that the House do come to the following resolution :

*Resolved*, That the Governor be desired to forward to Washington county, thirty bushels of salt and six thousand pounds cash, to be by the court of that county distributed among the widows and orphans of the slain and the wounded officers and soldiers of the corps that fought at King's Mountain, in such proportions as to the said court may be judged proper.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence.

A petition of John Reeveley, was presented to the House and read; setting forth, that he hath received no salary as manager of the public foundry since the 19th of October 1779, at which time his former salary was paid, and he was continued in the business; and praying that he may be paid a reasonable salary, to be estimated in tobacco.

Also, a petition of William Carter; setting forth, that while a dragoon in Col. Baylor's regiment of cavalry, he received several wounds in an action at Lenn'd's ferry, which have disabled him from labor; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the counties of Hanover, King William and New Kent, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the discontinuance of the inspection at Meriwether's in the said county of Hanover, will be attended with public inconvenience as well as injury to the petitioners; and praying that the said inspection may be revived.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Anne Bennet, was presented to the House, and read; setting forth, that her grandmother Anne Colvin, deceased, did by her last and testament, devise to the petitioner and her sister Elizabeth Bennet as co-heiresses, a negro man slave; but by a codicil to the same will, directed that application should be made to the General Assembly for the manumission of the said slave; that by the death of her sister Elizabeth without issue, the petitioner is become entitled to a fee simple estate in the said slave; and praying that he may not be manumitted.

*Ordered*, That the said petition do lie on the table.

*Ordered*, That leave be given to bring in a bill "to amend the act for adjusting and settling the titles of claimers to unpatented lands under the former and present government, previous to the establishment of the Commonwealth's Land Office;" and that Messrs. Madison, Sayres, and Daniel Trigg, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill "to amend the act for establishing a Land Office and for ascertaining the terms and manner of granting waste and unappropriated lands;" and that Messrs. Madison, Sayres, and Daniel Trigg, do prepare and bring in the same.

Mr. Tyler presented, according to order, a bill "concerning widows, orphans and legatees;" and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for recruiting this State's quota of troops to serve in the continental army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tyler reported, that the committee had, according to order, again had the said bill under their consideration, and made a farther progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee on the said bill.

Mr. Richard Henry Lee reported, from the committee appointed to prepare a plan of defence for the eastern frontier, that the committee had, according to order, had the state of the eastern frontier under their consideration, and had agreed upon a report thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth :

*Resolved*, that it is the opinion of this committee, That the brig Jefferson with the armed boats Liberty and Patriot, be forthwith manned and fitted for suppressing the enemy's cruisers in the bay of Chesapeake and its dependencies.

That the Lewis galley, and the Thetis, be also made ready with all possible expedition for the same service.

That the impressing of seamen for the purpose of manning the State vessels of war, be authorised by warrants from the Executive under the following regulations, to wit: That the vessels of foreigners be exempted; also, those of any sister State; that none be taken from a vessel loaded and outward bound; that from an inward bound, or any other vessel, except as before excepted, no more than every fifth man be taken; that impressed men be not compelled to serve longer than nine months, and to be exempted from the press for twelve months thereafter, to ascertain which, the discharging officer shall give every impressed seaman a certificate stating how long he hath served and the time when he was discharged.

That the pay of able seamen be two shillings specie per day, and the pay of ordinary seamen be one shilling and six pence per day, and the pay of boys one shilling per day, like money. And where the specie is not paid, that current money with the depreciation thereon be substituted; that the vessels of war belonging to the State be entitled to all the prizes they take, to be distributed among the officers and men according to the continental regulations for the



distribution of prize money; reserving, however the rights of owners to recaptured vessels and their cargoes, according to the admiralty regulations of Congress.

That there be deposited in the hands of the paymaster of the navy, by warrant from the Governor, as much money from time to time as shall be necessary to purchase canvass for hammocks, clothing and slops, for the seamen, and for their pay also; that these purchases be made in quantity and kind with advice of the commissioner of the navy, and the distribution thereof to be directed by said commissioner.

That the paymaster settle his accounts half yearly with the auditors, and that the captain of each vessel see to the issuing of clothing and other slops to the seamen, keeping an account with each man, and charging him with what he receives, to be deducted from his pay; and that each captain deliver such accounts in due season to the paymaster, to the end that the proper deductions may be made from the seamen's pay.

That nine pence specie a month be deducted from the pay of every seaman belonging to this Commonwealth, whether in vessels of war or merchantmen; the former to be collected by the paymaster of the navy, and the latter by the naval officer at the port of entry, for the purpose of supporting an hospital for sick and disabled seamen, which hospital shall be fixed at such place and be under such regulations as the Executive shall direct.

That the pay of the officers of the navy be as followeth, to wit: a commodore fourteen shillings; a captain eight shillings and three pence per day; a lieutenant six shillings; a master five shillings; a mate four shillings; a midshipman two shillings and nine pence; a quartermaster two shillings and nine pence; a boatswain four shillings; a boatswain's mate two shillings and nine pence; a sailmaker two shillings and nine pence; a gunner four shillings; a gunner's mate two shillings and nine pence; a quarter gunner two shillings and six pence; an armourer two shillings and six pence; a carpenter four shillings; a carpenter's mate two shillings and six pence; a carpenter's crew two shillings each; a surgeon six shillings; surgeon's mate three shillings; master at arms two shillings and six pence. That this daily pay be in specie, or in paper money with the depreciation thereon.

That for the purpose of properly supporting vessels of war to protect the commerce of Chesapeake Bay, there shall be paid to the naval officer at the port of entry by every merchant vessel belonging to this Commonwealth, fifteen pence specie per ton; also the following duties in specie: for every gallon of imported rum, brandy, gin, and and other spirits, one penny; upon Madeira wine, four pence per gallon; and upon all other wines, two pence per gallon; upon molasses, and other syrups, one penny per gallon; upon coffee, one shilling per centum; on loaf sugar, eighteen pence per centum; on clayed sugar, fifteen pence per centum; and on Muscovado sugar, one shilling per centum; and upon all imported dry goods, (salt, munitions of war, and iron from Maryland, excepted,) there shall be paid one per centum on the imported value, by the captain or owner, to the naval officer at the port of importation. For the due collection of which duties, every captain, when he enters, shall give bond and security to the naval officer, truly to pay the same in one month after importation; that the penalties of such bonds be 1500*l.* specie, for a vessel of an hundred tons; for a vessel of fifty tons, 750*l.* specie; and so in proportion for larger or smaller vessels; and for wilful secretion of the duties aforesaid by captain and owner, a forfeiture of the vessel, her tackle, &c. shall follow; and all such offenders to be rendered incapable of carrying on commerce in this State for two years thereafter; that for the same use, there shall be paid ten pounds specie for commissions, letters of marque, and reprisal.

That to encourage captains and masters of vessels to make true and faithful report of dutied goods, those commanding vessels of an hundred tons shall be allowed to import 200*l.* costs of goods duty free; and the commander of vessels of fifty tons, 100*l.* worth duty free, and so in proportion for larger or smaller vessels; but this privilege to be forfeited on discovery of wilful concealment or untrue report.

That the naval officer settle with the auditors quarterly, and then pay the imposed duties into the treasury, deducting five per centum for commission, and stating particularly in such accounts, by whom and for what the said duties were paid.

That previous to entering on the duties of this plan, the naval officers shall give bond to the Governor, conditioned for the faithful collecting and paying the duties aforesaid.

That the continental navy regulations be the rule for trying and punishing offenders in the navy of this State.

That the workmen employed in the public shipyard, foundery, ropewalk, and other public works, be exempted from military duties of all kinds.

That the duties proposed to be collected by this plan, shall be appropriated solely to navy purposes, and that a distinct and separate account be kept by the treasurer, to shew the receipts upon these funds and the expenditure of them.

That the pay-master receive per centum on all the money by him expended in discharge of his duty. That for the more effectual future protection of the commerce of Chesapeake Bay, two gallees of the same size and construction of those two built by order of Congress, at Philadelphia, in the year 1776, be with all convenient despatch, built and equipped to carry two thirty-two pounders in the bow, and a like number in the stern, with six pounders on the sides; that the said gallees be ship-rigged, and that the rigging, sails, guns, and other materials, be provided whilst the gallees are on the stocks, to the end that no time may be lost in putting them to cruize after they shall be launched.

That a certain act of Assembly, passed in the year 1748, entitled, "an act for the better management and security of orphans' estates," be so far amended as to direct that one half the children therein described below the falls of the respective rivers, be bound to the sea under the most prudent captains that can be found to take them.

That all the other vessels and their furniture, except so much of the latter as may be necessary for the future

purposes of the navy, be sold in such manner as may be most conducive to the public service, and the money arising from such sale to be appropriated to navy purposes.

That the Governor be desired to transmit a copy of the act that may be founded on this plan, to the Governor of Maryland, requesting in the name of the General Assembly of Virginia the aid of the Legislative and Executive powers of that State, in concurrence with those of this Commonwealth, to protect the navigation and commerce of Chesapeake Bay, and to suppress the piratical practices lately so frequent in the said bay and its dependent rivers.

*Ordered*, That a bill or bills, be brought in pursuant to the foregoing resolutions; and that Messrs. Richard Henry Lee, Taylor of Southampton, Hardy, Jones of King George, Braxton, Henry, Strother, Wray, Tyler, Reynolds, Page and Hutchings, do prepare and bring in the same.

A message from the Senate by Mr. Mathews:

MR. SPEAKER.—The Senate have agreed to the bill “to empower the court of Greenbrier county to have a wagon road opened from their courthouse to the eastern waters;” with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment; and the same being read was agreed to.

*Ordered*, That Mr. Reid do acquaint the Senate therewith.

Mr. Richard Lee reported, from the committee of Trade, that the committee to whom the resolution upon the report respecting captains Samuel Finley and Nathaniel Pendleton, and Lieutenant Henry Bedinger, was recommit-  
ted, had, according to order, had the same under their further consideration, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, that the said Captains Finley and Pendleton, and Lieutenant Bedinger, have been confined as prisoners of war at New York, for the term of four years; that during their confinement they were only furnished by the public with supplies to the amount of 80*l*. Virginia currency.

It farther appears to your committee, that a deficiency of clothing from the month of May, in the year 1779, to this time, is due to the said Captains Finley and Pendleton, and Lieutenant Bedinger, and that a considerable sum is also due to each of them for deficiency of pay;

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the auditors of public accounts, be directed to grant warrants to the said Captains Finley and Pendleton, and Lieutenant Bedinger, for such sums of money as will procure the deficiency of clothing due to them; and that the sum of 4,000*l*. be advanced by the public to each of the said Captains Finley and Pendleton, and Lieutenant Bedinger, upon account, for deficiency of pay which is also due them, to be charged to the continent in account with this Commonwealth.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read;

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday, 12 o’clock.

MONDAY, December 11, 1780.

A bill, “for dividing the county of Bedford into two distinct counties,” was read the second time, and ordered to be engrossed and read the third time.

A bill, “concerning widows, orphans and legatees,” was read the second time, and ordered to be committed to a committee of the whole House on Wednesday next.

Mr. Richard Henry Lee presented, according to order, a bill “to amend an act ‘for adjusting and settling the titles of claimers to unpatented lands, under the former and present government, previous to the establishment of the Commonwealth’s Land Office;” and the same was received and read the first time, and ordered to be read a second time.

Mr. Pride reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined several others, and found them to be truly enrolled.

*Ordered*, That Mr. Pride do carry the bills to the Senate for their inspection.

*Ordered*, That the letters and papers from the Governor, respecting the provisions procured under the act of the last session of Assembly, be referred to Messrs. Landon Carter, Richard Lee, Thomas Johnson, Strother, Chapman, Holmes, Lowry, Custis, Francis Peyton, and Wilkinson.

A petition of Samuel Cross was presented to the House, and read; setting forth, that his wagon and team was pressed into the service of the United States on the 15th of February last, when in Hanover county, for the use of Gen. Scott’s brigade; that he received the said wagon and team at Petersburg, on the 15th of April following, with the loss of a lock-chain twelve feet long, a tongue-chain, and seven new twilled bags; and praying to be paid for the same.



*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for recruiting this State's quota of troops to serve in the continental army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, again had the said bill under their consideration, and made a farther progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The Speaker laid before the House a letter from the Governor, enclosing one from Major Gen. Baron Steuben, an extract of a letter from William Lee, Esq. and certain proposals made to the executive, for raising a brigade of volunteers to act in cases of invasion, during the war; and the same were read.

*Ordered*, That the letter from Major General Baron Steuben, be referred to the committee of the whole House on the bill "for recruiting this State's quota of troops to serve in the continental army."

*Ordered*, That the letter from the Governor, together with the other enclosures therein referred to, do lie on the table.

A message from the Senate by Mr. Jones :

MR. SPEAKER,—The Senate have examined several enrolled bills and find them to be truly enrolled, and they are signed by their Speaker. And then he withdrew.

The Speaker signed the following enrolled bills:

"An act for dissolving the vestry of the parish of Albemarle, in the county of Sussex." "An act to extend the jurisdiction of a single magistrate in certain cases." "An act for granting pardon to certain offenders."

A petition of sundry inhabitants of the county of Chesterfield, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that so much of the act "to suppress excessive gaming," as totally prohibits horse racing, is in their opinions, impolitic, and tends to discourage the breed of horses; that they conceive course racing under proper restrictions would be highly beneficial to the breed of horses and greatly contribute to a well appointed cavalry; and praying that an act may pass to that effect.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The order of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth, being read;

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow, 12 o'clock.

## TUESDAY, December 12, 1780.

A message from the Senate by Mr. Harrison :

MR. SPEAKER,—The Senate have agreed to the bill, "for procuring a supply of money for the exigencies of the war," also, they have commanded me to lay before the House of Delegates, the following written message:

IN SENATE, December 11, 1780.

*Ordered*, That the following message be delivered to the House of Delegates:

The power of the Senate over money bills, being by the constitution confined to an entire approbation or rejection, they have always considered the complication of any distinct matter with a bill of supply as a dangerous innovation, and tending to take away the share they possess of legislative authority. It is therefore, with great concern, they find several clauses annexed to the bill now returned, foreign to the purpose of the bill itself, as declared by the title. In this proceeding, the Senate do not perceive a strict attention to those rules by which both Houses are bound, yet have avoided any resolution which might tend to delay the public business, in confidence that the reasons in the present instance, will on no future occasion occur to obstruct the passage of a money bill. And then he withdrew.

The written message from the Senate, was read and ordered to lie on the table.

A message from the Senate by Mr. Christian :

MR. SPEAKER,—The Senate have agreed to a resolution, for paying John Jones, jun. for a horse lost in the public service; also, they have agreed to the resolution for granting a sum of money and a supply of salt for the relief of the widows and families of the militia of Washington county, who were slain in the action at King's mountain; with an amendment, to which they desire the concurrence of this House; also, they have agreed to the resolution for directing the auditors to issue warrants for payment of the certificates due for horses purchased to remount Colonels White and Washington's dragoons, with an amendment, to which they desire the concurrence of this House. And then he withdrew.

A petition of Drury West, was presented to the House, and read; setting forth, that on the late invasion he entered as a volunteer dragoon, and furnished his own horse, upon an assurance from the Executive, that horses furnish-



ed for such service should be paid for, if lost or dying in the service; that his horse died upon duty; and praying to be paid his valuation.

Also, a petition of Rees Thomas; setting forth, that in the year 1777, his wagon and team were impressed into the service of the United States, by a continental officer, for which he hath never received any satisfaction; and praying to be made compensation.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of Thomas Smith, was presented to the House, and read; setting forth, that in the years 1774 and 1775, he imported a number of indented servants into this Commonwealth, for every one of whom he became entitled by the ancient charters, to fifty acres of land; that at the time of opening the land office under the present government, he was absent from this State on public service, and upon his return, found himself together with others possessed of similar rights, precluded from establishing the same, by the act limiting the time for proving such rights to the end of the then session of Assembly; and praying relief.

*Ordered*, That the said petition be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Madison reported, from the committee to whom the bill "to amend the act for giving farther time to delinquent counties to pay their specific tax," was committed, that the committee had, according to order, had the said bill under their consideration, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

An engrossed bill, "for dividing the county of Bedford into two distinct counties," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that title be, "an act for dividing the county of Bedford into two distinct counties."

*Ordered*, That Mr. Richard Henry Lee do carry the bill to the Senate, and desire their concurrence.

Mr. Carrington presented, from the committee for Religion, according to order, a bill, "for the more equal division of the parishes of Amherst and Lexington in the county of Amherst;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Richard Henry Lee presented, according to order, a bill, "for the defence of the eastern frontier of this Commonwealth;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Richard Henry Lee reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of John Fox, praying that a public ferry may be established from his land in the county of Gloucester, across York river, to the land formerly belonging to Mr. John Tabb, is reasonable.

*Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of John Mayo, praying that a public ferry may be established from his land on the south side of James river, across the said river to the Sandy Bar on the opposite shore, be deferred until the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of the honorable Archibald Cary, praying that a public ferry may be established from his land at or near the coal landing, across James river to the Sandy Bar on the opposite shore, be deferred until the next session of Assembly.

The first resolution was read a second time, and on the question put thereupon, agreed to by the House.

The second and third resolutions were severally read a second time, and ordered to be recommitted to the same committee.

*Ordered*, That a bill or bills, be brought in pursuant to the said first resolution; and that the committee of Propositions and Grievances do prepare and bring in the same.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Mary O'Hara, setting forth, that in the defeat of Col. Buford to the southward, she had the misfortune to lose her husband and two of her sons. That she is far advanced in years, and has no probable mode of securing to herself and two small children the least support; and praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 150*l*. for her present relief.

*Resolved*, that it is the opinion of this committee, That the petition of John Morgan, setting forth, that in the defeat of Col. Buford to the southward, he had the misfortune to receive several wounds, two of which were in his head, two in one of his legs, and had two of his fingers cut off his right hand, which has deprived him of the use of it, and thereby rendered him incapable of securing to himself a livelihood by labor; and praying relief, is reasonable; and that the petitioner ought to be allowed the sum of 300*l*. for his present relief.

*Resolved*, that it is the opinion of this committee, That the petition of John Hughes, late a serjeant in Col.

Harrison's regiment of artillery, praying a farther allowance in addition to that made him at a former Assembly, in consideration of the loss of his eye-sight whilst in the service of the United States, is reasonable; and that the petitioner ought to be allowed the sum of 500*l.* for his present relief; and also to draw from public store, a full suit of clothes.

*Resolved, that it is the opinion of this committee,* That the petition of James Day, setting forth, that he served as a soldier in the continental army for the term of three years and six months; that whilst in the service, he received a hurt in one of his legs which has rendered him incapable of maintaining himself by labor; and praying relief, is reasonable; and that the petitioner ought to be allowed to remain in the public hospital (where he is at present placed, by order of the Governor,) until the cure of his leg can be effected, and that he ought also to draw from the public store, a full suit of clothes.

The first resolution was read a second time, and the question being put, that the House do agree with the committee therein,

It passed in the negative.

*Resolved,* That the petition be rejected.

The 2d, 3d and 4th resolutions, were severally read a second time, and on the question put thereupon, agreed to by the House.

*Ordered,* That Mr. Richard Lee do carry the said resolutions to the Senate, and desire their concurrence.

Mr. Madison presented, according to order, a bill "to amend the act, 'for establishing a Land Office, and for ascertaining the terms and manner of granting waste and unappropriated lands;" and the same was received and read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee of the whole House on the bill "for recruiting this State's quota of troops to serve in the continental army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, again had the said bill under their consideration, and made a farther progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved,* That this House will, to-morrow, again resolve itself into a committee of the whole House on the said bill.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolutions respecting Captains Finley and Pendleton, and Lieutenant Bedinger, with amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments, and the same being read, were agreed to.

*Ordered,* That Mr. Richard Lee do acquaint the Senate therewith.

The House proceeded to consider the amendments of the Senate to the resolutions respecting certificates granted for horses purchased for the cavalry; and also to the resolution respecting the officers and soldiers of the Washington militia, who were slain in the action at King's mountain; and the same being read, were agreed to.

*Ordered,* That Mr. Richard Lee do acquaint the Senate therewith.

A memorial of Sampson Matthews, was presented to the House, and read; setting forth, that a number of militia were lately called into service from the county of Augusta, to the amount of 400, without any field officer of their county to command them, which the said officers consider as a degradation, and have represented to the memorialist as lieutenant of the county, for redress; and praying the interposition of the legislature in similar cases.

*Ordered,* That the said memorial be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of Sampson Matthews, was presented to the House, and read; setting forth, that upon the Governor's address to the people, he obtained a considerable sum of money from the people of Augusta, on loan to the public, upon an assurance from the memorialist to see them repaid; that the money when collected was put into the hands of proper persons to be conveyed to the public treasury, who lost a part thereof, to the amount of 4,000*l.* and upwards, whereby the memorialist is become liable to the individuals who lent the same; and praying relief.

*Ordered,* That the said memorial be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered,* That the public printer be directed to strike thirty copies of the act, "for granting pardon to certain offenders."

A petition of sundry inhabitants of the county of King and Queen, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that by reason of the difficulty of procuring church ministers, and the great extent of the parishes of St. Stephen's, Stratton Major, and Drysdale, they are put to great inconvenience in their religious worship; and praying that the said three parishes may be divided, and formed into two parishes, agreeable to certain boundaries therein expressed.

*Ordered,* That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the parish of Saint Margaret's, in the county of ———, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the vestry of the said parish, not being the choice of the people, is an unconstitutional one; and praying that the said vestry may be dissolved.

*Ordered,* That the consideration of the said petition be deferred until the next session of Assembly.



The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, on the bill "for granting freedom to slaves in certain cases," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, December 13, 1780.

A bill, "to amend the act, 'for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth's Land Office;" was read the second time, and ordered to be committed to Messrs. Madison and Trigg.

A bill, "to amend the act, 'for establishing a Land Office, and for ascertaining the terms and manner of granting waste and unappropriated lands;" was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "for the more equal division of the parishes of Amherst and Lexington, in the county of Amherst;" was read the second time, and ordered to be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for recruiting this State's quota of troops to serve in the continental army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, again had the said bill under their consideration, and gone through the same, and made several amendments thereto, which they had directed him to report, when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

A bill, "for the defence of the eastern frontier of this Commonwealth;" was read the second time, and ordered to be committed to a committee of the whole House, on Friday next.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and on the bill "concerning widows, orphans, and legatees," being read;

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for granting freedom to slaves in certain cases," being read;

*Ordered*, That the same be put off till Saturday next.

And then the House adjourned till to-morrow morning, 10 o'clock.

### THURSDAY, December 14, 1780.

An engrossed bill, "to amend the act, 'for giving further time to delinquent counties to pay their specific tax;" was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act, to amend the act 'for giving further time to delinquent counties to pay their specific tax."

*Ordered*, That Mr. Madison do carry the bill to the Senate, and desire their concurrence.

Mr. Richard Henry Lee reported, from the committee to whom the petition of Messrs. Dunlap and Hayes was committed, that the committee had, according to order, had the same, with the papers attending it, under consideration, and had agreed to a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, That it appears to your committee, that in consequence of power given to the Executive, by an act of the last session of General Assembly, the Governor did, through the delegates of this Commonwealth in Congress, apply to John Dunlap, one of the petitioners, in Philadelphia, to bring or send to Richmond a good printing press with all proper materials, and a suitable person to conduct the same, for printing the acts and journals of both Houses of Assembly, and such other things as might be occasionally wanted; and also to furnish a weekly gazette, containing one full sheet of intelligence, &c.; that in reply to this application, Mr. Dunlap did, with much cheerfulness agree to comply with the proposal, and determined to submit all future compensation to the justice and liberality of the General Assembly; that the petitioners did accordingly embark on board an armed ship for Virginia, a complete printing press, with materials, paper, and all requisites, to execute the business aforesaid in a proper manner; that by a concurrence of unfortunate accidents, not in the power of the petitioners to prevent, the ship with the printing press and other materials aforesaid, was captured by the enemy when they last invaded this State.

*Resolved, therefore*, That in consideration of the premises, and of the great public utility that will result from a free and good printing press in this Commonwealth, the petitioners John Dunlap and James Hayes, ought to be compensated by the public for the loss of their printing press and materials, so captured by the enemy as aforesaid; that they may thereby be enabled to prosecute and effect their undertaking in this business, as speedily as possible, by



replacing their lost press; and that the Governor, with advice of Council, be authorised to adjust and settle with the petitioners the amount of their loss, and to order them payment from the public treasury.

*Resolved*, That inquiry ought to be made whether the printing press at Williamsburg is public property: and if so, that the Governor direct the removal of it to the town of Richmond, that Messrs. Dunlap and Hayes may be availed of its use, until they can more effectually furnish themselves with the means of prosecuting their printing business.

*Ordered*, That Mr. Richard Henry Lee, do carry the resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Lee:

MR. SPEAKER,—The Senate have agreed to the resolutions for making a representation of the state of the war in the south to Congress; with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read were disagreed to.

*Ordered*, That Mr. Henry do acquaint the Senate therewith.

A message from the Senate by Mr. Christian:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to Andrew Armstrong: And then he withdrew.

*Ordered*, That leave be given to bring in a bill "to amend the act 'for the better regulating and disciplining the militia,'" and that Messrs. Henry, Lyne, Stevens, Francis Peyton, Holmes and Southall, do prepare and bring in the same.

A petition of Thomas Booth, was presented to the House, and read; setting forth, that by virtue of a writ in the nature of a writ of *ad quod damnum*, issued by order of the Governor, agreeable to an act of Assembly, he is dispossessed of three acres of land adjoining the public foundery, which hath been taken for public use; that the jury who valued the same, did not estimate the damages the petitioner would sustain thereby, but only allowed for the intrinsic value of the land; and praying farther compensation.

Also, a petition of William Wellbourn; setting forth, that in the defeat of Col. Buford to the southward, he received a wound in his left arm, that hath disabled him from obtaining a livelihood by labor; and praying relief.

Also, a petition of Richard Bruce; setting forth, that he advanced to Judith Epperson, the widow of David Epperson, deceased, late a soldier in the continental service, the sum of 164*l.* to relieve her present distress, for which he hath obtained a certificate from the county court of Albemarle; and praying to be reimbursed the said sum.

Also, a petition of Samuel Cross; setting forth, that he sold to the State quartermaster, a number of horses, to the amount of 53,950*l.* for which he received Loan Office certificates of this Commonwealth in payment, not being then apprised that they were not transferable; that upon being informed thereof, he applied to the Governor and Council for relief, who ordered a re-appraisement of the said horses, and offered the difference thereof, amounting to 5000*l.* as a compensation to the petitioner, which he could not accept, because he being obliged to wait payment for the rest of the money, would involve himself and family in great distress; and praying relief.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of William Black, was presented to the House, and read; setting forth, that the removal of the seat of government to Richmond, will probably be the means of bringing a number of settlers to the town of Manchester, which may render it eligible to enlarge the said town; and that he is desirous of laying off sixty-five acres of his land adjoining to the said town for that purpose; and praying that such addition may have the sanction of an act of the legislature.

Also, a petition of Burdit Ashton; setting forth, that he is seised as tenant by courtesy, of an undivided fourth part of three tracts of land, which descended to Margaret, Sarah, Elizabeth and Anne Blair, daughters of James Blair, deceased, by the death of their father intestate, as coparceners, the same being in right of his wife the said Sarah lately deceased, whose part will descend to her daughters Sarah Keene and Margaret Blair, as coparceners at the death of the petitioner; that it would be greatly advantageous as well to the petitioner as to the said Sarah Keene and Margaret Blair who are infants, if their undivided fourth part were sold (the other coparceners consenting thereto) and the money applied to their future interest; and praying that an act may pass to that effect.

Also, a petition of sundry inhabitants of the county of Culpeper, whose names are thereunto subscribed; setting forth, that travellers and others, experience great inconvenience through the want of a ferry at Norman's ford, on Rappahannock river; and praying that Landon Carter, Esq. proprietor of the land at the said ford, may be compelled to open such a ferry, or that Mr. Isaac Herron may be empowered to that effect.

Also, a petition of George Harmer; setting forth, that he cannot draw from the public treasury the amount of the sales of that part of his estate which was sold under the escheat and forfeiture act, without adding to the public distress; that he is therefore desirous of receiving specifically, such of the negroes as were purchased by the public; and praying that the said negroes may be restored to him: or if that should be thought improper, that he may receive a negro boy by the name of Ned, now in the public employment at Manchester.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon to the House.

Mr. Lyne reported, from the committee to whom the bill "to amend the act, entitled 'an act, to amend an act, entitled 'an act, concerning highways, mill-dams, and bridges,'" was committed, that the committee had, according to

order, had the said bill under their consideration, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the Governor be advised to give orders for the discharge of all those men who were under the command of General Stevens, who returned home before the time of service expired, and have been in consequence thereof adjudged to serve in the army for the term of eight months.

And the said resolution being read a second time, and the question put that this House doth agree to the same, It passed in the negative.

*Resolved*, That the resolution be rejected.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the petition of Charles Davis, praying that an allowance may be made him for his support, in consideration of a wound which he received in one of his arms, while a soldier in the continental service, is reasonable; and that the petitioner ought to be allowed the sum of 500*l.* for his present relief, and also to draw from the public store, a full suit of clothes.

*Resolved*, that it is the opinion of this committee, That the petition of Smyth Stevens, praying that an allowance may be made him in consideration of the loss of one of his legs, while a soldier in the continental service, is reasonable; and that the petitioner ought to be allowed the sum of 500*l.* for his present relief, and also to draw from the public store, a full suit of clothes.

*Ordered*, That Mr. Richard Lee do carry the resolutions to the Senate, and desire their concurrence.

A petition of sundry inhabitants of the county of King William, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that great inconvenience hath arisen from the discontinuance of the Piping Tree inspection; and praying that the said inspection may be revived.

*Ordered*, That the said petition do lie on the table.

A petition of the vestry of the parish of Nottoway, in the county of Amelia, was presented to the House, and read; setting forth, that Mr. Thomas Wilkinson, the present incumbent of the said parish, hath refused and neglected to perform the functions of his office, and committed waste on the glebe lands; and praying that the said Thomas Wilkinson may be removed from his cure, and the same declared vacant.

*Ordered*, That the said petition be referred to the committee for Religion; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Starke, according to order, reported the amendments made by the committee of the whole House to the bill "for recruiting this State's quota of troops to serve in the continental army;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same being again twice read, some were amended and agreed to.

*Ordered*, That the farther consideration of the said amendments be postponed till to-morrow.

A message from the Senate by Mr. Lee:

MR. SPEAKER.—The Senate have agreed to the resolution, for paying a sum of money to John Hughes, a wounded soldier; also, they do recede from their amendments to the resolutions, for making a representation of the state of the war in the south to Congress. And then he withdrew.

*Ordered*, That leave be given to bring in a bill "for supplying the army with clothes and provisions;" and that Messrs. Henry, Zachariah Johnston, Zahe and Braxton, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill, "for the more regular supply of recruits for the army, and for giving additional encouragement for the apprehending of deserters;" and that Messrs. Richard Henry Lee, Tyler, Tazewell, Edmondson and Fitzhugh, do prepare and bring in the same.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also on the bill "concerning widows, orphans, and legatees," being read;

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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## FRIDAY, December 15, 1780.

An engrossed bill, "to amend the act, entitled 'an act, to amend an act, entitled 'an act, concerning highways, mill-dams and bridges,'" was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act, to amend the act, entitled 'an act, to amend an act, entitled 'an act, concerning highways, mill-dams, and bridges.'"

*Ordered*, That Mr. Lyne do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for the more equal division of the parishes of Amherst and Lexington, in the county of Amherst;" was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act for the more equal division of the parishes of Amherst and Lexington, in the county of Amherst."

*Ordered*, That Mr. Carrington do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill, "to establish a corps of invalids, to serve as guards and on garrison duty within this Commonwealth;" and that Messrs. Zane, Richard Lee, William Mayo, Holmes, Lowry and Fitzhugh, do prepare and bring in the same.

Mr. Richard Henry Lee presented, from the committee of Propositions and Grievances, according to order, a bill "for establishing a public ferry;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Richard Henry Lee presented, according to order, a bill "for the more regular supply of recruits for the army, and for giving additional encouragement for the apprehending deserters;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their further consideration, the petition of William Andrews, to them recommended, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, that the said William Andrews enlisted as a serjeant in the 5th Virginia regiment; that in the battle at Stony Point, he received a wound in his body, which has rendered him incapable of procuring a livelihood by labor, or to travel without the assistance of crutches;

Whereupon, your committee came to the following resolution:

*Resolved*, That it is the opinion of this committee, That the said William Andrews ought to be allowed the sum of 500l. for his present relief; and also to draw from the public store, a full suit of clothes.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A petition of the proprietors of certain tobacco warehouses, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that the allowance made by law for the rent of their warehouses, is very inadequate to the purpose of keeping them in such repair as the law requires; and praying that the said allowance may be increased, or that the warehouses may be taken for public use, and the petitioners paid their reasonable valuation.

Also, a petition of the trustees of the town of Manchester; setting forth, that they have a claim on behalf of the said town, to a slip of land therein, from which Mr. John Mayo hath (as they are informed) petitioned for a public ferry to be established; that a suit in law is depending for the same; and praying that the petition of the said John Mayo may be suspended until the said suit is determined.

*Ordered*, That the said petitions be referred to the committee of Propositions and Grievances; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of John Byras, was presented to the House, and read; setting forth, that he commanded a company of militia that marched to South Carolina last campaign, in which service he had a horse, saddle, and bridle, impressed by the forage-master and lost, without being appraised; and praying to be paid their valuation agreeable to an appraisement thereof, since made by persons acquainted with their worth.

Also, a petition of Josiah Riddick; setting forth, that in the late invasion in May 1779, he was of a reconnoitering party that were taken by the enemy, at which time he also lost a valuable horse, which was impressed into the service; that after a long and grievous captivity, he is now exchanged; and praying to be paid the valuation of the said horse.

*Ordered*, That the said petitions be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of William Macon, was presented to the House, and read; setting forth, that he was a volunteer in General Lawson's legion, and while in service his horse died without any default of the petitioner; and praying to be paid his valuation.

A motion was made, and the question being put, that the said petition be referred to the consideration of a committee,

It passed in the negative.

*Resolved*, That the petition be rejected.

A petition of Jacob Dameron, was presented to the House, and read; setting forth, that he is a maimed soldier, entitled to a bounty of lands under the royal proclamation of 1763, which from a variety of casualties he was prevented from establishing his right to within the time limited by law; and praying relief.

*Ordered*, That the consideration of the said petition, be deferred until the next session of Assembly.

The House resumed the consideration of the amendments made by the committee of the whole House, to the bill "for recruiting this State's quota of troops to serve in the continental army;" and the same being read, some were amended and agreed to.

A motion was made, and the question being put that the rest of the said amendments be recommended to the committee of the whole House,



It passed in the affirmative.

*Resolved*, That this House will, to-morrow, resolve itself into a committee of the whole House, to reconsider the said amendments.

Mr. Carrington reported, from the committee for Religion, to whom the bill "declaring what shall be a lawful marriage," was committed; that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A petition of David East, was presented to the House, and read; setting forth, that in the surprise of Col. Washington's regiment, at Lenew's ferry, on Santee river, he received several wounds, that have disabled him from obtaining a livelihood by labor; and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for the defence of the eastern frontier of this Commonwealth;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tyler reported, that the committee had, according to order, had the said bill under their consideration, and gone through the same, and made several amendments thereto, which they had directed him to report when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also on the bill "concerning widows, orphans, and legatees," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## SATURDAY, December 16, 1780.

A bill, "for establishing a public ferry," was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

A bill, "for the more regular supply of provisions for the army, and for giving additional encouragement for apprehending deserters," was read the second time, and ordered to be committed to Messrs. Lyne, Goodall, and Richard Henry Lee.

Mr. Tyler presented, from the committee for Courts of Justice, according to order, a bill "for farther continuing an act, entitled 'an act, to empower the Governor and Council to lay an embargo for a limited time;' and the same was received and read the first time, and ordered to be read a second time.

Mr. Tyler presented, from the committee for Courts of Justice, according to order, a bill "for farther continuing part of an act, entitled 'an act for punishing persons guilty of certain thefts and forgeries, and fixing the allowance to sheriffs, venire men, and witnesses in certain cases;'" and the same was received and read the first time, and ordered to be read a second time.

Mr. Tyler presented, from the committee for Courts of Justice, according to order, a bill "to revive and amend the act 'for giving farther powers to the Governor and Council;'" and the same was received and read the first time, and ordered to be read a second time.

Mr. Tyler presented, from the committee for Courts of Justice, according to order, a bill "to revive and amend the act 'for procuring a supply of provisions and other necessities for the use of the army;'" and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to a resolution for making certain allowances to James Day and John Morgan. And then he withdrew.

Mr. Tyler reported, according to order, the amendments made by the committee of the whole House to the bill "for the defence of the eastern frontier of this Commonwealth;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, amended, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the bill "to amend the act 'to give farther time to delinquent counties to pay their specific tax.'" And then he withdrew.

A message from the Senate by Mr. Mathews:

MR. SPEAKER,—The Senate have agreed to the resolutions for making certain allowances to Charles Davis and Smyth Stevens. Also, they have agreed to the resolution respecting the printing press and materials of Messrs. Dunlap and Hayes, which were taken by the enemy. And then he withdrew.

*Resolved*, That this House will, on Tuesday next, proceed by joint ballot with the Senate, to the choice of a

member of the Privy Council or Council of State, in the room of Meriwether Smith, Esq. appointed to represent this State in Congress.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, to reconsider the amendments made by the committee of the whole House on the bill "for recruiting this State's quota of troops to serve in the continental army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, again had the said amendments, together with the bill, under their consideration, and had amended several of the said amendments, disagreed to others, and made additional amendments to the said bill; and he read the amendments which were amended, together with the said additional amendments in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

*Ordered*, That the persons appointed to prepare and bring in a bill "to regulate the election of members of the General Assembly," be discharged from proceeding thereon.

A bill, "to revive and amend the act 'for giving further powers to the Governor and Council,'" was read the second time, and ordered to be committed to a committee of the whole House, on Monday next.

A petition of John Ward, was presented to the House, and read; setting forth, that he furnished provisions to certain detachments of troops marching to the southward, and obtained certificates from the officers severally commanding them, for the same, which he produced to the auditors of public accounts for payment, who have refused to allow the same; and praying relief.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of Middlesex, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that great inconvenience attends the situation of their courthouse in the town of Urbanna; that the same is not central; and in coming thereto many of the petitioners have a creek to cross over, where there is no public ferry; and praying that the said courthouse may be removed to the place where their old courthouse stood.

Also, a petition of sundry other inhabitants of the said county, whose names are thereunto subscribed, in opposition thereto.

*Ordered*, That the said petitions be referred to the consideration of the next session of Assembly.

Mr. Tyler reported, from the committee to whom the bill "to amend the act 'for establishing a Land Office, and for ascertaining the terms and manner of granting waste and unappropriated lands,'" was committed, that the committee had, according to order, had the said bill under their consideration, and made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendment, be engrossed and read the third time.

Mr. Lyne reported, from the committee to whom the bill "for the more regular supply of recruits for the army, and for giving additional encouragement for the apprehending of deserters," was committed, that the committee had, according to order, had the said bill under their consideration, and had made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The order of the day, for the House to resolve itself into a committee of the whole House, on the bill "for granting freedom to slaves in certain cases," being read;

*Ordered*, That the same be put off till the second Monday in May next.

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and also on the bill "concerning widows, orphans and legatees," being read;

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, December 18, 1780.

An engrossed bill, "for the more regular supply of recruits for the army, and for giving additional encouragement for the apprehending of deserters," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act for the more regular supply of recruits for the army, and for giving additional encouragement for the apprehending of deserters."

*Ordered*, That Mr. Richard Henry Lee do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for the defence of the southern frontier of this Commonwealth," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act for the the defence of the southern frontier of this Commonwealth."

*Ordered*, That Mr. Richard Henry Lee do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to amend the act for establishing a Land Office and for ascertaining the terms and manner of granting waste and unappropriated lands," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act to amend the act, 'for establishing a Land Office, and for ascertaining the terms and manner of granting waste and unappropriated lands.'"

*Ordered*, That Mr. Richard Henry Lee, do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "declaring what shall be a lawful marriage," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act declaring what shall be a lawful marriage."

*Ordered*, That Mr. Carrington do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill "concerning vagrants;" and that Mr. Tyler do prepare and bring in the same.

Mr. Richard Henry Lee presented, according to order, a bill "for making better provision for the officers and soldiers of this State, in the continental service;" and the same was received and read the first time, and ordered to be read a second time.

The Speaker laid before the House, a letter from the auditors of public accounts, stating several matters for the consideration of the General Assembly, which was read, and ordered to lie on the table.

An engrossed bill, "for recruiting this State's quota of troops to serve in the continental army," was read the third time, and ordered to be committed to a committee of the whole House to-morrow.

Mr. Madison reported, from the committee to whom the bill "for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth's Land Office," was committed, that the committee had, according to order, had the said bill under their consideration, and had made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Tyler presented, according to order, a bill "concerning vagrants;" and the same was received and read the first time, and ordered to be read a second time.

The Speaker laid before the House, a letter from the Governor, enclosing several others from Major General Baron Steuben, containing requisitions for the army, which were read, and ordered to be referred to the committee of the whole House, to whom the bill "for recruiting this State's quota of troops to serve in the continental army," was committed.

Mr. Starke reported, from the committee of Propositions and Grievances, to whom the bill, "to amend an act, entitled 'an act to amend the several acts of Assembly, for the inspection of tobacco,'" was committed, that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the petitions of Robert Sawyers and Isaac Campbell, to them referred, and had agreed upon a report and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

It appears to your committee, that the said Robert Sawyers and Isaac Campbell, in consequence of orders from Col. William Preston, recruited each a company of light horse; that of Sawyers consisting of 28 men exclusive of commissioned officers, and that of Campbell, of 35 men exclusive of commissioned officers, for the defence of the county of Montgomery and the frontiers of this State.

That the orders given to the petitioners by the said Col. Preston for raising the said troops of horse, were communicated to his excellency the Governor, and approved of by him.

It farther appears to your committee, that the men who composed the said troops of horse, found their own horses and arms, and while on duty were extremely serviceable in suppressing and bringing to justice many insurgents, as well in the said county of Montgomery, as in the State of North Carolina.

Whereupon, your committee came to the following resolution:

*Resolved*, That the petitions of the said Robert Sawyers and Isaac Campbell, praying that compensation may be made the officers and men who composed the said troops of horse for their services while on duty, is reasonable; and that the auditors of public accounts be directed to allow them the same pay while on duty, as was allowed to the troop of cavalry ordered to be raised in virtue of an act of Assembly, passed at the last session, entitled "an act to embody militia for the relief of South Carolina, and for other purposes."

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire thier concurrence.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the bill "for the more equal division of the parishes of Amherst and Lexington, in the county of Amherst;" and to the resolution for paying a sum of money to William Andrews; also.



they have agreed to proceed to-morrow, by joint ballot with this House, to the choice of a Privy Counsellor, in the room of Meriwether Smith, Esq. And then he withdrew.

The House proceeded to nominate persons proper to be ballotted for, as a member of the Privy Council or Council of State, in the room of Meriwether Smith, Esq.

*Ordered*, That Mr. Henry do carry a list of the persons so nominated to the Senate.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill “to amend an act, entitled ‘an act, to amend an act, entitled ‘an act, concerning highways, mill-dams, and bridges,’ with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments, and the same being read, were agreed to.

*Ordered*, That Mr. Lyne do acquaint the Senate therewith.

Mr. Starke reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again thrice read and agreed to by House, as followeth:

*Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of William Black, praying that 60 acres of his land adjoining the lower side of the town of Manchester, may be laid off into lots and a street, and be added to and made part of the said town, be deferred until the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of John Mayo, praying that a public ferry may be established from his land on the south side of James river, across the said river to his lot in the town of Richmond, and to the Sandy Bar, be deferred until the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That farther consideration of the petitions of Reuben Cutts, and the trustees of the town of Manchester in opposition thereto, be deferred until the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the farther consideration of the petition of the honorable Archibald Cary, praying that a public ferry may be established from his land at or near the coal landing across James river, to the Sandy Bar on the opposite shore, be deferred until the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of Burdit Ashton, praying that one-fourth part of an undivided tract of land, which he is entitled to hold as tenant by the courtesy of England, and which, after his death, will descend to his two daughters, Sarah and Margaret Ashton, now infants, as coparceners, may be vested in trustees, to be by them sold for tobacco, and to place the same out at interest on proper security, payable to the said Sarah and Margaret after the petitioner's decease, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of George Harmer, praying that such of the slaves conveyed to him by John Harmer, of Great Britain, as were sold under the act “concerning escheats and forfeitures from British subjects,” and purchased by the public, may be restored to him, is reasonable.

*Resolved*, that it is the opinion of this committee, That one of the said slaves named Ned, so purchased by the public, be immediately restored to the said George Harmer, and the residue on or before the tenth day of January next.

*Ordered*, That a bill or bills, be brought in pursuant to the two last resolutions; and that the committee of Propositions and Grievances, do prepare and bring in the same.

An engrossed bill, “to amend the act, for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth's Land Office,” was read the third time.

*Resolved*, That the bill do pass; and that the title be “an act, to amend the act, ‘for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth's Land Office.’”

*Ordered*, That Mr. Madison do carry the bill to the Senate, and desire their concurrence.

A bill, “for farther continuing an act, entitled ‘an act, to empower the Governor and Council to lay an embargo for a limited time,” was read the second time, and ordered to be engrossed and read the third time.

A bill, “for farther continuing part of an act, entitled ‘an act, for punishing persons guilty of certain thefts and forgeries, and fixing the allowance to sheriffs, venire-men, and witnesses in certain cases,” was read the second time, and ordered to be committed to Messrs. Starke, Tyler, Lyne and Baker.

A bill, “to revive and amend the act, ‘for procuring a supply of provisions and other necessities for the use of the army,” was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

A bill, “concerning vagrants,” was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

The House, according to the order of the day, resolved itself into a committee of the whole House on the bill “to revive and amend the act, entitled ‘an act, for giving farther powers to the Governor and Council,” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tyler reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made no amendment thereto.

*Ordered*, That the said bill be engrossed, and read the third time.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also on the bill "concerning widows, orphans, and legatees," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, December 19, 1780.

An engrossed bill, "to revive and amend the act, 'for giving farther powers to the Governor and Council,'" was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act to revive and amend the act, 'for giving farther powers to the Governor and Council.'"

*Ordered*, That Mr. Tyler do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for farther continuing an act, entitled 'an act, for empowering the Governor and Council to lay an embargo for a limited time.'"

*Resolved*, That the bill do pass; and that the title be, "an act for farther continuing an act, entitled 'an act to empower the Governor and Council to lay an embargo for a limited time.'"

*Ordered*, That Mr. Tyler do carry the bill to the Senate, and desire their concurrence.

A bill, "for making better provision for the officers and soldiers belonging to this State in the continental service," was read the second time, and ordered to be committed to Messrs. Lyne, Richard Henry Lee, and Tyler.

A motion was made, that the House do come to the following resolutions:

*Resolved*, That the Governor by the advice of the Council, be empowered and desired forthwith to provide clothing and blankets for the soldiers of the Virginia line, by seizing or impressing them from merchants and traders, wherever they may be found within the limits of this State; and for that purpose, to appoint and direct such, and so many proper persons as commissioners, to seize the said clothing and blankets, and convey them to such place or places as may be proper for dispersing them to the soldiery: and for paying the owners of the said clothing and blankets an adequate price, the said commissioners shall choose some able and fit person, on behalf of this Commonwealth, to appraise the same, and the owners respectively, shall choose another, and these two persons so chosen, being first sworn duly to appraise the articles seized, shall affix the price to be paid for the same; and if they disagree, an umpire shall be chosen by them, who shall also be sworn as aforesaid.

*Resolved*, That payment for the said clothing and blankets be made as soon as it can possibly be done, out of the public tobacco collected by the tax of 30l. per poll, or in the money paid in lieu thereof; and any depreciation that may happen between the time of seizure and the day of payment, shall be made good to the party whose goods are seized, and be ascertained by the auditors of public accounts, according to the variation in the price of tobacco.

And the said resolutions being severally read a second time were, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Henry do carry the resolutions to the Senate, and desire their concurrence.

Mr. Starke reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

*Resolved*, that it is the opinion of this committee, That so much of the petition of divers inhabitants of the county of Culpeper, praying that a public ferry may be established from the lands of Landon Carter, Esq. in the said county, across Rappahannock river at Norman's ford, is reasonable.

*Resolved*, that it is the opinion of this committee, That such other part of the said petition, as prays that an act may pass to empower Isaac Herron to keep a public ferry, in case the said Landon Carter refuses so to do; and that so much land adjoining thereto, may be laid off, as will be sufficient to build convenient houses for the accommodation of travellers, together with a garden, and also a lot for the confinement of horses, to be paid for by the said Isaac Herron, be rejected.

*Resolved*, that it is the opinion of this committee, That the petition of Thomas Batte the younger, and others, praying that a public ferry may be established from the upper end of the land of the said Thomas Batte in the county, of Chesterfield, across Appomattox river, to the town of Broadway, on the opposite shore; and that the ferry formerly established by the name of Batte's ferry, lower down the said river, may be discontinued, is reasonable.

*Resolved*, that it is the opinion of this committee, That the petition of William Black, praying that a public ferry may be established from his land in the county of Chesterfield, across James river, to the public landing called Rocketts on the opposite shore, is reasonable; and that the said William Black do clear and open such road as may be necessary to pass to the said ferry upon his own land, and to erect any bridge or bridges and to keep the same and the road in constant repair at his own expenses.

*Resolved*, that it is the opinion of this committee, That the petition of Davy Ross, praying that a public ferry may be established from his land in the county of Bedford, across the mouth of Archer's creek, on James river, to the land of Robert Bolling, deceased, on the opposite shore in the county of Amherst, is reasonable.

The first, second, third and fifth resolutions, were severally read a second time, and agreed to by the House.

The fourth resolution was read a second time, and ordered to be recommitted to the same committee.

*Ordered*, That the committee of Propositions and Grievances do receive a clause or clauses, pursuant to the first, third and fifth resolutions.

A message from the Senate by Mr. Harrison:

Mr. SPEAKER,—The Senate have agreed to the bill “to amend the act for establishing a Land Office, and for ascertaining the terms and manner of granting waste and unappropriated lands.” And then he withdrew.

Mr. Richard Henry Lee reported, from the committee to whom was referred the letters, accounts and other papers relating to the delegates from this Commonwealth to the General Congress, that the committee had, according to order, had the same under their consideration, and had agreed upon a report and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and are as followeth:

It appears to your committee, that the design of the Legislature was, to prevent their delegates from trading in the manner that is understood to describe the person who buys and sells again for the purpose of gaining by such buying and selling, but not to prevent the disposing of the produce of the delegate’s estate, either for money or in the way of exchange, whether such produce arises from rents, or from the delegate holding his lands and slaves in his own possession, and immediately directing the use of the one, and the cultivation of the other.

It also appears to your committee, that by the general account of this Commonwealth with the United States, that 1,323,363 and seventy-five ninetieths of dollars, have been advanced to the Virginia delegates for various public uses, from the 6th of June, 1775. to the 12th of April, 1780; that credits are given to the amount of 550,000, leaving a balance due to the United States on this account of 773,363 and seventy-five ninetieths of dollars; but for want of the book kept by the delegates, your committee are unable to say in what manner these advances have been disposed of.

That your committee have examined the accounts of the Hon. Richard Henry Lee, Francis Lightfoot Lee, Joseph Jones, John Harvey, William Fleming, James Mercer, James Madison, Thomas Nelson, William Fitzhugh, and Edmund Randolph, and find them fairly stated, and fully reasonable.

That the Hon. Cyrus Griffin’s account appears extravagant, but as he hath expressed a desire to be present in order to explain the cause of such seeming extravagance; your committee are of opinion that any particular determination thereon should be suspended.

That some of the delegates lately appointed to Congress, have not as yet returned any accounts.

It also appears to your committee, that when the Hon. Meriwether Smith left Congress, the 29th of September, 1779, he was indebted to the public 8,467l. 14s.; that on the 18th of December following, having resigned his seat in Congress and being elected a member of the Privy Council, he settled an account on oath with the auditors for the whole of his subsistence whilst at Congress, travelling expenses and ferriages going and returning, amounting in the whole to 3,740l. 8s. 7d. Virginia money, for which sum he obtained an auditor’s warrant bearing date the said 18th day of December, 1779, thus drawing out of the treasury 3,740l. 8s. 7d. Virginia currency; at the same time that he was indebted to the public near 5,000l. which circumstance it does not appear, by his accounts settled with the Auditors, that he made known to them at the time of such settlement.

Whereupon, your committee came to the following resolutions:

*Resolved*, that it is the opinion of this committee, That the delegates representing this State in Congress, ought to be allowed a certain fixed and genteel support, and for this purpose, that each delegate be paid two pounds six shillings in specie per day for every day that he shall attend the service of Congress, together with his ferriages, and two pounds six shillings specie per day to defray his travelling expenses; and that if specie cannot be procured, full compensation be made in the paper current money, and the difference between that and specie to be fixed by the Judges of the General Court at every of their quarter sessions.

*Resolved*, that it is the opinion of this committee, That the treasurer of this Commonwealth ought to take effectual measures to lodge a sufficient credit in Philadelphia, for the purpose of furnishing the delegates their pay as aforesaid.

*Resolved*, that it is the opinion of this committee, That the said Meriwether Smith, is guilty of a misapplication of the public money, and that he ought to be forthwith recalled from Congress to answer for such misapplication.

The first and second resolutions were severally read a second time, and agreed to by the House.

The third resolution was read a second time, and the amendment following was proposed to be made thereunto; to strike out from the word “resolved,” to the end of the resolution; and to insert “that the accounts of Meriwether Smith, Esq. appear to be unsatisfactory, inasmuch as the sum of 8,000l. and upwards remains thereby unaccounted for. And the Speaker of this House is desired to write to the said Meriwether Smith, Esq. and to require of him a full and explicit settlement of his accounts with the Commonwealth, as a delegate of this State in Congress; and that the same be laid before the next session of Assembly.”

And the question being put that the House do agree to the said amendment,

It was resolved in the affirmative.

And then the question being put that the House do agree to the said resolution, so amended,

It was resolved in the affirmative.

*Ordered*, That a bill or bills, be brought in pursuant to the first and second resolutions; and that Messrs. Richard Henry Lee, Starke, Tyler and Henry, do prepare and bring in the same.



A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolutions for procuring an immediate supply of clothing and blankets for the army, with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, were agreed to.

*Ordered*, That Mr. Henry do acquaint the Senate therewith.

A motion was made, and the question being put, that leave be given to bring in a bill "to amend the act 'for the removal of the seat of government,'"

It passed in the negative.

*Resolved*, That the motion be rejected.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the bill "to amend the act, 'for adjusting and settling the titles of claimers to unpatented lands under the present and former government, previous to the establishment of the Commonwealth's Land Office,'" also, they have agreed to the bill "for farther continuing 'an act, to empower the Governor and Council to lay an embargo for a limited time,'" also, to the bill "to revive and amend the act, 'for giving farther powers to the Governor and Council,'" and they have added several other persons to the nomination for a member of the Privy Council or Council of State. And he delivered in a list of them, and then withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the engrossed bill "for recruiting this State's quota of troops to serve in the continental army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tyler reported, that the committee had, according to order, had the said engrossed bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said engrossed bill.

Mr. Henry presented, according to order, a bill "to amend the act for the better regulating and disciplining the militia;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Zane presented, according to order, a bill "to establish a corps of invalids, to serve as guards, and on garrison duty;" and the same was received and read the first time, and ordered to be read a second time.

*Resolved*, That this House will, on Thursday next, proceed by joint ballot with the Senate, to the choice of a person to represent to Congress the state of the war in the southern quarter.

*Ordered*, That Mr. Henry do acquaint the Senate therewith.

The orders of the day, for the House to proceed by joint ballot with the Senate, to the choice of a member of the Privy Council or Council of State; and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, on the bills "to revive and amend the act for procuring a supply of money and other necessities for the use of the army;" and "concerning widows, orphans, and legatees," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

### WEDNESDAY, December 20, 1780.

An engrossed bill, "to amend the act, entitled 'an act to amend the several acts of Assembly, respecting the inspection of tobacco,'" was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act to amend the act, entitled 'an act to amend the several acts of Assembly, respecting the inspection of tobacco.'"

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

A bill, "to amend the act, entitled 'an act for the better regulating and disciplining the militia,'" was read the second time, and ordered to be committed to a committee of the whole House to-morrow.

A bill, "for establishing a corps of invalids to act as guards and on garrison duty," was read the second time, and ordered to be engrossed and read the third time.

A memorial of Major Tarlton Woodson, was presented to the House, and read; setting forth, that he has been a prisoner with the enemy on Long Island near three years, during which time he has received no clothing, and but a small proportion of pay; that he is now desirous of joining the army, if enabled so to do; and praying to be allowed a sum of money for that purpose.

*Ordered*, That the said memorial be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Henry presented, according to order, a bill "for supplying the army with clothes and provisions;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill, "for the more effectual collection of taxes and public dues;" and that Messrs. Braxton and Henry do prepare and bring in the same.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, several petitions to them referred, and have come to the following resolutions thereupon:

*Resolved, that it is the opinion of this committee,* That the petition of Josiah Riddick, setting forth, that during the invasion of the enemy at Norfolk in May, 1779, he had a valuable horse, saddle, and bridle, together with a pair of pistols and holsters, impressed into the service of the State by order of the county lieutenant of Nansemond, for the purpose of reconnoitering the enemy; that the said horse and accoutrements, fell into the hands of the enemy and were lost; and praying that compensation may be made him by the public, for the loss of his said horse and accoutrements, is reasonable; and that the petitioner ought to be allowed and paid the sum of 2,000*l.* for the same.

*Resolved, that it is the opinion of this committee,* That the petition of Harry Terrell, setting forth, that in the month of September last, he received orders from the commanding officer of Bedford county to summon a guard for the purpose of conveying to the public jail, a number of men on suspicion of treason; that he accordingly summoned a guard of eight men for the purpose aforesaid, and delivered the said suspected persons into the custody of the keeper of the public jail at this place; that the auditors of public accounts, would only allow him and the persons who attended him as a guard, the sum of one shilling and four pence per day, each, while on the said service; and praying a farther allowance, be rejected.

*Resolved, that it is the opinion of this committee,* That the petition of John Diggins, setting forth, that sometime in the month of October last, he was employed by Mr. John Edmondson, to carry several horses (which the said Edmondson had purchased for the use of the State) to Petersburg; that while on his journey, the horse which he rode, (and which was his property) received a kick on one of his thighs, from one of the horses that he was leading, which broke the bone thereof, and occasioned his death; that two of his neighbors (being previously sworn) valued the said horse to 1,200*l.*; and praying to be paid by the public the valuation of his said horse, is reasonable; and that the petitioner ought to be allowed and paid the sum of 1,200*l.* the amount of the same.

*Resolved, that it is the opinion of this committee,* That the petition of John Byras, setting forth, that on the 19th day of June last, he marched a company of militia from the county of Louisa, for the relief of North Carolina; that upon his arrival at Hillsborough, the forage master belonging to General Stephen's brigade, impressed into the service, his horse, saddle and bridle, which were lost at the defeat of General Gates, in the month of August following; that two of his neighbors who were acquainted with the said horse (being previously sworn) valued him to 1,500*l.*; and praying to be paid by the public the valuation of his said horse, is reasonable; and that the petitioner ought to be allowed and paid the sum of 1,500*l.* the amount of the same.

*Resolved, that it is the opinion of this committee,* That the petition of John Reeveley, manager of the Public Foundry at Westham, praying that an allowance may be made him in tobacco for his services for one year, ending the 19th day of October last, is reasonable; and that he be allowed 15,000 pounds of crop tobacco for the same, or an equivalent in money, to be discharged agreeable to the estimate of the price of crop tobacco made by the grand jury at the last General Court.

*Resolved, that it is the opinion of this committee,* That the petition of Drury West, setting forth, that during the last invasion, he engaged with, and marched as a volunteer light dragoon, under the command of Turner Southall, for the protection of the eastern frontiers of this State; that he furnished his own horse, and while in that service, his said horse was taken suddenly sick and died; and praying that compensation may be made him by the public, for the loss of his said horse, is reasonable; and that the petitioner ought to be allowed and paid the sum of fifteen hundred pounds for the same.

*Resolved, that it is the opinion of this committee,* That the petition of William Wellburn, setting forth, that in the defeat of Col. Buford to the southward, he had the misfortune to receive a wound in the wrist of his left hand, which has deprived him of the use of it, and praying relief, is reasonable; and that the petitioner ought to be allowed the sum of three hundred pounds for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of James Williams, praying that a farther allowance may be made him in addition to the annual pension allowed him by the Board of War, in consideration of the loss of his eye-sight while a soldier in the service of the Commonwealth, is reasonable; and that the petitioner ought to be allowed the sum of three hundred pounds for his present relief.

*Resolved, that it is the opinion of this committee,* That the petition of Rees Thomas, praying to be paid for a wagon and gear, which was impressed by a certain Lieut. Booker, an officer in the continental service, be referred to the next session of Assembly.

*Resolved, that it is the opinion of this committee,* That the petition of John M'Kinney, setting forth, that in an expedition against the Indians in the year 1774, he received several wounds, which rendered him and still continues to render him, incapable of procuring a livelihood by labor; that in consequence thereof, he was allowed the sum of ten pounds per annum during life, which sum, by reason of the unexpected depreciation of the money, is become quite inadequate to the purpose for which it was granted him, and praying an additional allowance, is reasonable; and that the petitioner ought to be allowed the sum of three hundred pounds for his present relief.

A message from the Senate by Mr. Christian:

MR. SPEAKER,—The Senate have agreed to the resolution, for making a certain allowance to Captains Sawyers and Campbell; they have also agreed to proceed to-morrow, by joint ballot with this House, to the choice of a person to represent to Congress the state of the war in the southern department. And then he withdrew.



The House proceeded to nominate a person proper to be ballotted for, to represent to Congress the state of the war in the southern department.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the engrossed bill, "for recruiting this State's quota of troops to serve in the continental army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ball reported, that the committee had, according to order, had the said bill again under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Carrington reported, from the committee for Religion, that the committee had, according to order, had under their consideration, a memorial and several petitions to them referred, and have come to the following resolutions thereupon:

*Resolved*, that it is the opinion of this committee, That the memorial of sundry inhabitants of the county of Buckingham, praying that an act may pass, to silence all non-juring preachers of every denomination, and deprive of their benefices such as have them; to prohibit those who refuse assurance of fidelity to the government the exercise of either of the professions of law or physic, and to impose double taxes on non-jurors, be referred to the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the counties of Prince Edward and Cumberland, to the same effect, be referred to the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the parish of Littleton, in the county of Cumberland, in opposition thereto, be referred to the next session of Assembly.

*Resolved*, that it is the opinion of this committee, That the petition of sundry inhabitants of the county of King and Queen, whose names are thereunto subscribed; setting forth, that by reason of the difficulty of procuring church ministers, and the great extent of the parishes of St. Stephen, Stratton Major, and Drysdale, they are put to great inconvenience in their religious worship; and praying that the said three parishes may be formed into two parishes, agreeable to certain boundaries therein expressed, be referred to the next session of Assembly.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of a treasurer, for the ensuing year.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

The House proceeded to nominate a person proper to be ballotted for as treasurer.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A bill, "for supplying the army with clothes and provisions," was read the second time, and ordered to be committed to a committee of the whole House to-morrow.

Mr. Starke reported, from the committee to whom the bill "to revive and amend part of the act, entitled "an act, for punishing persons guilty of certain thefts and forgeries, and fixing the allowance to sheriffs, venire-men, and witnesses in certain cases" was committed, that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

Mr. Starke reported, from the committee of Propositions and Grievances, to whom the bill "for establishing a public ferry;" was committed, that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The orders of the day, for the House, to resolve itself into a committee of the whole House, on the state of the Commonwealth;" and also, on the bills "to revive and amend the act, for procuring a supply of provisions and other necessities, for the use of the army;" and "concerning widows, orphans, and legatees," being read,

*Ordered*, That the same be put off till to-morrow.

The order of the day, for the House to proceed by joint ballot with the Senate, to the choice of a member of the Privy Council or Council of State, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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#### THURSDAY, December 21, 1780.

An engrossed bill, "to establish a corps of invalids to act as guards, and on garrison duty," was read the third time.

*Resolved*, That the bill do pass; and that the title be "an act, to establish a corps of invalids to act as guards, and on garrison duty."



*Ordered*, That Mr. Zane do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for farther continuing part of an act, entitled 'an act, for punishing persons guilty of certain thefts and forgeries, and for fixing the allowance to sheriffs, venire-men, and witnesses, in certain cases,'" was read the third time.

*Resolved*, That the bill do pass; and that the title be "an act, for farther continuing part of an act, entitled 'an act, for punishing persons guilty of certain thefts and forgeries, and for fixing the allowance to sheriffs, venire-men, and witnesses, in certain cases, and for fixing the allowance to the clerk of the General Court for *ex-officio*, and public services."

*Ordered*, That Mr. Tyler do carry the bill to the Senate, and desire their concurrence.

The Speaker laid before the House a letter from Major Alexander Dick, respecting his dismissal from the army, and soliciting a recommendation for future command; which was read, and ordered to be referred to Messrs. Starke, Edmondson, Lyne, and Gen. Nelson.

Mr. Carrington reported, from the committee appointed to examine the treasurer's accounts, that the committee had, according to order, examined and compared the same, with their proper vouchers, from the 31st of December last, to the 21st of October following, inclusive, and had agreed to a report thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and agreed to by the House, as followeth:

Your committee find, that the sum of nine millions seven hundred and eleven thousand nine hundred and seven pounds seventeen shillings and nine pence three farthings, has been received into the treasury, on sundry accounts: out of which, the payments made by the treasurer, amount to nine millions one hundred and sixty-one thousand and thirty-six pounds nineteen shillings and one penny three farthings, which left a balance in the treasurer's hands of 550,870*l.* 18*s.* 8*d.*, which appears on hand that day: as your committee have examined the payments and receipts of money since that time, and counted the cash on hand: That seventy-six pounds four shillings of which, appears to be counterfeit, received as we presume through the hurry of business, which the treasurer requests may be allowed him. Your committee find, that the accounts have been fairly and properly kept, but for a more clear explanation thereof, your committee beg leave to refer to the account annexed:

*The Public Treasury to GEORGE BROOKE, Treasurer.*

		<i>DR.</i>
May 2, 1780,	To cash paid sundry persons, - - -	£ 2,437,082 16 0
	To ditto loan office commissions, 1778 establishment, - - -	199 0 9
October 21,	To ditto paid sundry persons, - - -	6,723,345 7 3 1-4
	To ditto loan office commissions, 1778 establishment, - - -	409 15 1 1-2
	Balance due, - - -	550,870 18 8
		<hr/>
		£ 9,711,907 17 9 3-4

*The Public Treasury to GEORGE BROOKE, Treasurer.*

		<i>CR.</i>
May 2, 1780,	By cash received on account of the land office, - - -	£ 949,730 6 8 3-4
	By ditto of sundry persons, - - -	1,835,626 6 11
	By ditto on account of the loan office, 1778 establishment, - - -	159,233 18 9
	By ditto on account of ditto, 1779 establishment, - - -	4,000 0 0
October 21,	By ditto on account of the land office, - - -	526,120 3 4
	By ditto on account of the loan office, 1778 establishment, - - -	327,805 8 6
	By ditto of sundry persons, - - -	3,624,527 14 1
	By ditto received in consequence of the Governor's address, - - -	59,826 17 0
	By ditto received in consequence of the resolutions of Assembly the 1st June last, - - -	251,663 19 6
	By ditto into the loan office, October 1779 establishment, - - -	1,359 3 0
	By ditto received in part of the emissions of July 14th, 1780, - - -	1,981,919 0 0
	By ditto received for taxes laid by the act for emitting and funding a sum of money, of the 14th of July last, - - -	95 0 0
		<hr/>
		£ 9,711,907 17 9 3-4
		<hr/>
	By balance due as per contra, - - -	£ 550,870 18 8
	By balance of errors discovered, - - -	1 6
		<hr/>
		£ 550,871 0 2

*Resolved*, That the treasurer's accounts do pass.

*Ordered*, That Mr. Carrington do acquaint the Senate therewith.

*Resolved*, That the treasurer be allowed in his account, the sum of seventy-six pounds four shillings, for so much

counterfeit money received at his office on public account, as the same appears to have arisen from unavoidable accident, and not from any default in him, and that he be allowed to charge the same in account for the ensuing year.

*Ordered*, That Mr. Carrington do carry the resolution to the Senate, and desire their concurrence.

A memorial of Major John Willis, was presented to the House, and read; setting forth, that he is just exchanged, after suffering near three years painful captivity on Long Island, during which he has received but a small proportion of pay and clothing; that he is desirous of joining the army; and praying that a sum of money may be advanced him for that purpose.

*Ordered*, That the said memorial be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Starke presented, according to order, a bill "for restoring certain slaves to George Harmer;" and the same was received and read the first time, and ordered to be read a second time.

Mr. Pride reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, examined several others, and find them to be truly enrolled.

*Ordered*, That Mr. Pride do carry the bills to the Senate for their inspection.

An engrossed bill, "for recruiting this State's quota of troops to serve in the continental army;" was read the third time, and the blanks filled up.

*Resolved*, That the bill do pass; and that the title be, "an act for recruiting this State's quota of troops to serve in the continental army."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate are satisfied with the nomination of George Brooke, Esq. to be treasurer of this Commonwealth, and are willing that he be appointed to that office, without the formality of a ballot. Also, they have added another person to the nomination of a person to represent to Congress the state of the war in the south. And then he withdrew.

*Resolved*, That George Brooke, Esq. be appointed treasurer of this Commonwealth for the ensuing year.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for supplying the army with clothes and provisions;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Edmondson reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the said bill.

The accounts of the commissioners of the Gun Manufactory at Fredericksburg, were laid before the House, and ordered to be referred to Messrs. Fitzhugh, Hutchings, Lyne, Strother, Talbot, Hunter, Landon Carter, and Pickett.

A petition of sundry inhabitants of the town of Fredericksburg in the county of Spottsylvania, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that by the removal of the courthouse they suffer great inconvenience, and, from the increase and population of the town, are endangered in the peace and safety of the inhabitants, through the want of a corporation; and praying that the said town may be incorporated.

A motion was made, and the question being put that the said petition be referred to the consideration of the next session of Assembly,

It was resolved in the affirmative.

Mr. Tyler reported, from the committee to whom the bill "for making better provision for the officers and soldiers of the Virginia line in continental service" was committed, that the committee had, according to order, had the said bill under their consideration, and made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and ordered to be recommitted to a committee of the whole House to-morrow.

Mr. Landon Carter reported, from the committee to whom was referred several papers, respecting the seizing and collecting certain provisions, under an act of the last session of Assembly, that the committee had, according to order, had the said papers under their consideration, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, that the commissioners appointed to collect such provisions for several counties, have failed to make return thereof, according to the directions of the said act.

*Resolved*, that it is the opinion of this committee, That the Governor, with the advice of Council, be desired to cause such delinquent commissioners forthwith to make such returns, and to proceed strictly against all those who shall fail to do so in due time.

*Ordered*, That Mr. Landon Carter do carry the resolution to the Senate, and desire their concurrence.

Mr. Starke reported, from the committee of Propositions and Grievances, that the committee had, according to order, had under their consideration the petition of Anthony Bledsoe, to them referred, and have come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:



*Resolved, that it is the opinion of this committee, That the petition of the said Anthony Bledsoe, praying that compensation may be made him for his trouble during the time he acted as commissary to the commissioners and their guard, appointed to run the boundary line between this State and North Carolina, is reasonable; and that the auditors of public accounts, do make him such allowance for his said services, as well as for his reasonable expenses, incurred during the time he was necessarily engaged in the settlement of his commissary accounts, as they think just and right: and to draw their warrant upon the treasurer for payment thereof.*

*Ordered, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.*

Mr. Richard Lee reported, from the committee of Trade, to whom the resolution upon the report respecting John Meade was recommitted, that the committee had, according to order, had the same under their farther consideration, and had agreed upon a report and come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended, and agreed to by the House, as followeth:

It appears to your committee, that during the last Summer, there were committed to the care of the said John Meade, as jailer of the county of Bedford, sundry persons to the number of seventy-five, as well on suspicion of treasonable practices against the State, as other offences.

It also appears to your committee, that the said seventy-five persons, including the confinement of each of them, remained in the custody of the said John Meade eighteen hundred days, during which they were furnished with good and wholesome diet, to procure which, put the said John Meade to great expense and trouble.

It farther appears to your committee, that the said John Meade's account, for the maintenance of the said seventy-five persons during the said term, amounted to the sum of 9,002*l.* 10*s.* which the court of the said county of Bedford certified as reasonable.

It also appears to your committee, that upon application being made to the auditors of public accounts, for a warrant for the amount of the said account, they refused to grant the same, and would only allow the said John Meade the ordinary fees for criminals.

Whereupon, your committee came to the following resolution:

*Resolved, that it is the opinion of this committee, That the said John Meade ought to be allowed, and paid the sum of 30*l.* per day, for the maintenance of the said seventy-five persons, during the said term of eighteen hundred days, amounting in the whole to the sum of 5,400*l.**

*Ordered, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.*

Mr. Richard Henry Lee presented, according to order, a bill "for fixing the allowance of the delegates representing this State in Congress;" and the same was received and read the first time, and ordered to be read a second time.

The orders of the day, for the House to proceed by joint ballot with the Senate, to the choice of a member of the Privy Council, or Council of State; and also of a person to represent to Congress the state of the war in the southern department, being read,

*Ordered, That the same be put off till to-morrow.*

The orders of the day, for the House to resolve itself into a committee of the whole House, on the state of the Commonwealth; and also on the bills "to revive and amend the act for the better regulating and disciplining the militia;" "to revive and amend the act for procuring a supply of provisions, and other necessities for the use of the army;" "and concerning widows, orphans, and legatees," being read,

*Ordered, That the same be put off till to-morrow.*

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, December 22, 1760.

The Speaker laid before the House, a letter from the General Assembly of the State of Maryland, on the subject of an embargo on provisions; which was read, and ordered to lie on the table.

*Ordered, That the treasurer be directed to pay for the postage of the foregoing letter, out of any public money in his hands.*

*Ordered, That Mr. Carrington have leave to be absent from the service of this House, for the remainder of the session.*

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "for the defence of the eastern frontier of this Commonwealth," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, some were agreed to, and others disagreed to.

*Ordered, That Mr. Starke do acquaint the Senate therewith.*

An engrossed bill, "for establishing a public ferry," was read the third time, and the blanks therein filled up.

*Resolved, That the bill do pass; and that the title be, "an act for establishing several new ferries."*

*Ordered, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.*



A bill, "for restoring certain slaves to George Harmer," was read the second time, and ordered to be engrossed and read the third time.

A bill, "for fixing the allowance to the delegates representing this State in Congress," was read the second time, and ordered to be engrossed and read the third time.

The House proceeded, according to the order of the day, by joint ballot with the Senate, to the choice of a member of the Privy Council or Council of State, in the room of Meriwether Smith, Esq. appointed to represent this State in Congress; and the members having prepared tickets, with the name of the person to be appointed, and deposited the same in the ballot glasses, Messrs. Henry, Hunter, Chapman and Pickett, were appointed a committee to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and report to the House on whom the majority of votes should fall.

*Ordered*, That Mr. Henry do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House and reported, that they had, according to order, met a committee from the Senate in the conference chamber, and jointly with them examined the ballot glasses, and found a majority of votes in favor of John Tyler, Esq.

*Resolved*, That John Tyler, Esq. be appointed a member of the Privy Council or Council of State, in the room of Meriwether Smith, Esq. appointed to represent this State in Congress, he having been so elected by joint ballot of both Houses of Assembly.

*Ordered*, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence. *Dec. 70.*

The House proceeded, in the same manner, to the choice of a person to represent to Congress the state of the war in the southern department; and Messrs. Talbot, Custis, and Richard Lee, the committee appointed, jointly with the committee from the Senate to examine the ballot glasses, reported, that they had, according to order, met a committee from the Senate in the conference chamber, and jointly with them examined the ballot glasses, and found the number to stand as follows:

For the Hon. Benjamin Harrison, Esq. 40 For the Hon. Richard Henry Lee, Esq. 40

Whereupon, the said Richard Henry Lee, Esq. having signified his desire to be withdrawn from the ballot; and the question being put thereupon,

It was resolved in the affirmative.

*Ordered*, That Mr. Talbot do acquaint the Senate therewith. *Dec. 66, 67, 70.*

A memorial of Miles Selden, jun. was presented to the House, and read; setting forth, that he hath declined the care of the public records formerly committed to him, which records remain in a house belonging to the memorialist, liable to injury and destruction; that he hath received no allowance for the rent of the said house for the past twelve months; and praying that he may be made a reasonable allowance for such rent, and another house provided for the reception of the said records.

*Ordered*, That the said memorial be referred to the committee for courts of Justice; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for supplying the army with clothes and provisions;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Edmondson reported, that the committee had, according to order, again had the said bill under their consideration, and made a farther progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

A message from the Senate by Mr. Mathews:

MR. SPEAKER,—The Senate have agreed to several resolutions for making certain allowances to Robert Byrass James Williams, James Wellburne, John Reeveley, and Anthony Bledsoe. Also, to the resolution appointing George Brooke, Esq. treasurer of the Commonwealth; and to the resolution for paying a sum of money to James McKinney, with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, on the bills "for making better provision for the officers and soldiers of the Virginia line in continental service;" "to revive and amend an act 'for procuring a supply of provisions and other necessities for the use of the army;'" "to revive and amend the act 'for better regulating and disciplining the militia;'" and "concerning widows, orphans and legatees;" being read;

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

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SATURDAY, December 23, 1781.

An engrossed bill, "for restoring certain slaves to George Harmer," was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act for restoring certain slaves to George Harmer."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for fixing the allowance of the delegates representing this State in Congress;" was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act for fixing the allowance of the delegates representing this State in Congress."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

*Ordered*, That leave be given to bring in a bill "for the more effectual and speedy clothing of the army;" and that Mr. Richard Henry Lee, do prepare and bring in the same.

A motion was made that the House do come to the following resolution:

*Resolved*, That the present situation of affairs, makes it necessary to remove out of this State, all the troops of the Convention of Saratoga; and that the Governor, with the advice of the Council, take immediate measures for that purpose, consulting the convenient accommodation of the said troops so far as the pressing exigences of public affairs will permit.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence.

A petition of Adam Stephen and Anthony Noble, was presented to the House, and read; setting forth, that they some time since, manufactured 15 stand of arms and delivered the same for public use; that the Governor and Council, and auditors of public accounts, are at a loss what price to allow for the said arms; and praying to be made reasonable compensation.

*Ordered*, That the said petition be referred to the committee of Trade; that they do examine the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, the petition of Archibald Campbell, to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as followeth:

It appears to your committee, that at a court held for Amherst county, the 17th day of April last past, a negro man slave named March, the property of the petitioner, was convicted of felony, and sentenced to be hanged; that the day preceding the one appointed for the execution of the said slave, he, with a certain George Bartlam, broke the jail of the said county. Amherst, made his escape, and has not since been heard of.

It farther appears to your committee, that the court of the said county of Amherst, valued the said negro man slave, March, to the sum of 3,500*l.*, which the auditors of public accounts refused to grant a warrant for.

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the petition of the said Archibald Campbell, praying to be paid by the public, the valuation of his said negro man slave, March, is reasonable; and that the petitioner ought to be allowed the sum of 3,500*l.*, the amount of the same.

And the said resolution was read a second time.

A motion was made; and the question being put, that the consideration of the said report and resolution be deferred until the next session of Assembly,

It was resolved in the affirmative.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have examined several enrolled bills, and find them to be truly enrolled, and they are signed by their Speaker; also, they do agree that Richard Henry Lee, Esq. be withdrawn from the nomination of a person to represent to Congress the state of the war in the southern department. And then he withdrew.

The House proceeded to consider the amendment of the Senate, to the resolution for paying a sum of money to John McKinney; and the same being read, was agreed to.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for supplying the army with clothes and provisions;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Edmondson reported, that the committee had, according to order, again had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and some were agreed to.

*Ordered*, That the further consideration of the said amendments, be postponed till Monday next.

On a motion made,

*Ordered*, That the House be called over immediately.

The House being accordingly called over, the names of the members who failed to appear were noted; and the names of those who made default, being again called over, some were excused on account of sickness, employments in the service of the public elsewhere, and other justifiable avocations.

*Ordered*, That the sergeant at arms attending this House, take into his custody, Mr. Everard Meade, one of the members for the county of Amelia; Messrs. John Wood and Thomas Madison, members for the county of Botetourt; Mr. James Wall, one of the members for the county of Brunswick; Mr. John Taylor, one of the members for the county of Caroline; Mr. Beverley Randolph, one of the members for the county of Cumberland; Mr. Joseph Jones, one of the members for the county of Dinwiddie; Mr. Robert Beverley, one of the members for the county of Essex; Messrs. Thomas Napier and George Thompson, members for the county of Fluvanna; Mr. Thomas Peyton,



one of the members for the county of Gloucester; Mr. Stephen Sampson, one of the members for the county of Goochland; Mr. Archer Mathews, one of the members for the county of Greenbrier; Mr. James Innes, one of the members for the county of James City; Messrs. John Seabrook Wells and Samuel Hardy, members for the county of Isle of Wight; Messrs. John Todd and Stephen Trigg, members for the county of Kentucky; Mr. Philip Tafiaferro, one of the members for the county of King and Queen; Mr. Landon Carter, one of the members for the county of King George; Mr. John Garland, one of the members for the county of Lunenburg; Messrs. Robert Munford and Samuel Goode, members for the county of Mecklenburg; Messrs. James Montague and Thomas Moore, members for the county of Middlesex; Messrs. James Chew and James Neale, members for the county of Monongalia; Mr. Daniel Trigg, one of the members for the county of Montgomery; Mr. Kinchen Godwin, one of the members for the county of Nansemond; Messrs. Armistead Russell and John Price Posey, members for the county of New-Kent; Mr. Thomas Newton, one of the members for the county of Norfolk; Messrs. William Lee and John Gordon, members for the county of Northumberland; Mr. Zachariah Burnley, one of the members for the county of Orange; Mr. Thomas Terry, one of the members for the county of Pittsylvania; Mr. William Mayo, jun. one of the members for the county of Powhatan; Mr. William Bibb, one of the members for the county of Prince Edward; Mr. James Field, one of the members for the county of Prince George; Mr. William Nalle, one of the members for the county of Rockingham; Mr. George Stubblefield, one of the members for the county of Spottsylvania; Mr. Nathaniel Newsum, one of the members for the county of Sussex; Messrs. Cole Digges and John West, members for the county of Warwick; and Mr. William Reynolds, one of the members for the county of York.

A motion was made, that the House do come to the following resolution:

*Resolved*, That this House will, with all the severity of censure, publish the names of members who shall absent themselves in future, from their duty in the House at this critical juncture, without leave; that the calamities which will probably ensue upon leaving our affairs deranged, may be attributed to the authors of them.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

The House being informed, that Mr. Zachariah Burnley, one of the members for the county of Orange; Messrs. John Wood and Thomas Madison, members for the county of Botetourt; Mr. William Nalle, one of the members for the county of Rockingham; Mr. Samuel Goode, one of the members for the county of Mecklenburg; Mr. James Wall, one of the members for the county of Brunswick; Mr. Thomas Newton, one of the members for the county of Norfolk; and Mr. William Bibb, one of the members for the county of Prince Edward; attended in custody of the serjeant at arms,

*Ordered*, That the said Zachariah Burnley, John Wood, Thomas Madison, William Nalle, Samuel Goode, James Wall, Thomas Newton, and William Bibb, be discharged out of custody, paying fees.

On a motion made,

*Ordered*, That the House be called over on Monday next.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, a memorial of Majors Tarlton Woodson and John Willis; to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved*, that it is the opinion of this committee, That the memorials of Majors Tarlton Woodson and John Willis, setting forth, that they have been confined as prisoners of war at New York, for the term of three years; that during their confinement, they were only furnished by the public with supplies to the amount of seventy-five pounds, Virginia currency, each; that a considerable deficiency of pay and clothing are due them; and praying that a sum of money may be advanced to each of them, equal to what has been allowed to other officers in similar circumstances, is reasonable; and that eight thousand pounds be advanced by the public to each of the said Majors Woodson and Willis, upon account, to be charged to the continent in account with the Commonwealth.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also on the bills, "to revive and amend the act, for procuring a supply of provisions and other necessities, for the use of the army;" "to revive and amend the act, for the better regulating and disciplining the militia;" "for making better provision for the officers and soldiers of the Virginia line in continental service;" and "concerning widows, orphans, and legatees;" being read,

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, December 25, 1780.

The House being informed, that Mr. John Gordon, one of the members for the county of Northumberland; Mr. William Mayo, jun. one of the members for the county of Powhatan; and Mr. Stephen Sampson, one of the members for the county of Goochland, attended in custody of the serjeant at arms;

*Ordered*, That the said John Gordon, William Mayo, jun. and Stephen Sampson be discharged out of custody, on paying fees.



The House being informed, that Mr. John Garland, one of the members for the county of Lunenburg, attended in custody of the serjeant at arms, and that there was good cause to excuse his absence when the House was called over on Saturday last;

*Ordered*, That the said John Garland be discharged out of custody, without paying fees.

Mr. Fitzhugh reported, from the committee to whom the accounts of the commissioners of the Gun Manufactory were referred, that the committee had, according to order, examined the same, and had agreed upon a report, and come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, that there has been disbursed on account of the Factory, the sum of 37,030*l.* by the public, and the farther sum of 15,904*l.* 0*s.* 4*d.*, by Fielding Lewis, Esq. one of the commissioners: amounting in the whole to 52,934*l.* 0*s.* 4*d.*; that out of the said sum of 52,934*l.* 0*s.* 4*d.* the sum of 23,354*l.* 3*s.* has been appropriated and applied by Charles Dick, Esq. one of the commissioners, for workmen's wages and other services; from whence it appears, that since the last settlement, including the materials on hand, the said Factory is in credit for the sum of 236,818*l.*; from which deducting the disbursements as aforesaid, amounting to 52,934*l.* 4*d.* and credit for muskets, &c. on hand at the last settlement, amounting to 109,154*l.*, a balance of profit from the said Factory is now in favor of the public, of 74,487*l.* 17*s.* 7*d.*

Your committee find, that the amount of credits and disbursements are fairly and justly stated; that the sum of 15,904*l.* 0*s.* 4*d.* is due to Fielding Lewis, Esq. being disbursed by him for the use of the public; and that there is a balance of 137*l.* 18*s.* 9*d.* due from Charles Dick Esq. to the public.

Whereupon, your committee came to the following resolution:

*Resolved*, That the sum of 137*l.* 18*s.* 9*d.* due from Charles Dick, Esq. be by him applied to the farther use of the Factory.

*Resolved*, That the treasurer be directed to pay to Fielding Lewis, Esq. the sum of 15,904*l.* 0*s.* 4*d.*, disbursed by him for the use of the Gun Manufactory.

*Ordered*, That Mr. Fitzhugh do carry the resolutions to the Senate, and desire their concurrence.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the petition of William Bentley, to them referred, and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, that some time in the month of June last, a young negro man slave, named Lewis, the property of the petitioner, runaway, and in company with other runaway negroes, committed several robberies; that on the 26th day of August following, Francis Tomkies and James Hubard, gentlemen, two justices of the peace for the county of Gloucester, issued their proclamation against the said negro man slave, Lewis, which was duly published in the parishes of Ware and Portsmouth, in the said county of Gloucester.

It further appears to your committee, that on the twenty-fourth day of October following, the said negro man slave, Lewis, was pursued by a party of armed men, who shot at, and mortally wounded the said negro slave, Lewis, and that the court of the said county of Gloucester valued him to 6,000*l.*

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the petition of the said William Bentley, praying to be paid by the public the valuation of his said negro man slave, Lewis, is reasonable; and that the petitioner be allowed the sum of 6,000*l.* the amount of the same.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

Mr. Braxton presented, according to order, a bill "for the more effectual collection of taxes and public dues;" and the same was received and read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolutions for paying a sum of money to Josiah Riddick; and for compelling delinquent commissioners to make returns of the provision collected by an act of the last session of Assembly. Also, they have agreed to the bill "for further continuing part of an act 'for punishing persons guilty of certain thefts and forgeries, and fixing the allowance to sheriffs, venire men and witnesses, in certain cases,' and 'for fixing the allowance to the clerk of the General Court for *ex-officio* and public services;' with an amendment, to which they desire the concurrence of this House. Also, they have agreed to the bill "for establishing a corps of invalids to act as guards and on garrison duty;" with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments, and the same being read were agreed to.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

The Speaker laid before the House a letter from the Governor, enclosing one from the delegates of this Commonwealth in Congress, respecting the free navigation of the river Mississippi; which was read, and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

The House resumed the consideration of the amendments made by the committee of the whole House, on the bill "for supplying the army with clothes and provisions;" and the same being again read, were, on the question severally put thereupon, agreed to by the House.

*Ordered*, That the said bill, with the amendments, be engrossed and read the third time.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for making better provision for the officers and soldiers of the Virginia line in continental service;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ball reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, on the bills "to revive and amend the act, 'for procuring a supply of provisions and other necessities for the use of the army,'" "to revive and amend the act, 'for better regulating and disciplining the militia,'" and "concerning widows, orphans, and legatees," being read;

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## TUESDAY, December 26, 1780.

Mr. Richard Henry Lee presented, according to order, a bill "for the more effectual and speedy clothing the army;" and the same was received and read the first time, and ordered to be read a second time.

*Ordered*, That the committee for Courts of Justice, be discharged from proceeding on the memorial of Miles Selden, jun. to them referred; and that the said memorial be referred to the committee of Trade.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the volunteers of Washington and Montgomery counties, both cavalry and infantry, ought to be paid in the same manner as the militia ordered to South Carolina, by an act of last session of Assembly, in proportion to the time of their late service in Carolina.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Aaron Lewis do carry the resolution to the Senate, and desire their concurrence.

The Speaker signed the following enrolled bills:

"An act, for the more equal division of the parishes of Amherst and Lexington, in the county of Amherst."

"An act, to revive and amend the act 'for giving farther powers to the Governor and Council.'"

"An act, to amend the act 'for giving farther time to delinquent counties to pay their specific tax.'"

"An act, to amend an act, entitled, 'an act, to amend an act, entitled 'an act, concerning highways, mill-dams, and bridges.'"

"An act, for farther continuing an act, entitled 'an act, to empower the Governor and Council to lay an embargo for a limited time.'"

"An act, to empower the court of Greenbrier county, to have a wagon road opened from their courthouse to the eastern waters."

"An act, for procuring a supply of money for the exigences of the war."

"An act, for ascertaining the centre of the county of Stafford."

A bill, "for the more effectual collection of taxes and public dues," was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "to amend the act, entitled 'an act, to amend the several acts of Assembly, respecting the inspection of tobacco,'" with several amendments, to which they desire the concurrence of this House; also, they have agreed to the bill "for establishing several public ferries," with several amendments, to which they desire the concurrence of this House; also, they do recede from their amendment, disagreed to by this House, to the bill "for the defence of the eastern frontier of this Commonwealth." And then he withdrew.

The House proceeded to consider the amendments of the Senate, to the bill "to amend the act, entitled 'an act, to amend the several acts of Assembly, respecting the inspection of tobacco,'" and the same being read, some were agreed to, and others disagreed to.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the bill "for restoring certain slaves to George Harmer;" also to the resolutions respecting Majors Woodson and Willis; and for the removal of the British Saratoga Convention troops. And then he withdrew.

An engrossed bill, "for supplying the army with clothes and provisions," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be "an act, for supplying the army with clothes, provisions, and wagons."

*Ordered*, That Mr. Edmondson do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill

“for making better provision for the officers and soldiers of the Virginia line, in continental service;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ball reported, that the committee had, according to order, again had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read amended, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

The Speaker laid before the House a letter from the Governor, enclosing one to the Executive, respecting the seizure of salt, which were read and ordered to lie on the table.

*Ordered*, That Mr. Madison have leave to be absent from the service of this House for the remainder of the session.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, on the bills “to revive and amend the act, ‘for procuring a supply of provisions and other necessities for the use of the army;’” “to revive and amend the act, ‘for better regulating and disciplining the militia;’” and “concerning widows, orphans, and legatees;” being read;

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o’clock.

### WEDNESDAY, December 27, 1789.

The House being informed that Mr. Armistead Russell, one of the members for the county of New Kent, attended in custody of the serjeant at arms;

*Ordered*, That the said Armistead Russell be discharged out of custody, on paying fees.

*Ordered*, That Mr. Thomas Newton have leave to be absent from the service of this House, for the remainder of the session.

The House proceeded to consider the amendments of the Senate to the bill, “for establishing several new ferries;” and the same being read, were agreed to.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A message from the Senate by Mr. Dixon:

MR. SPEAKER,—The Senate have agreed to the resolution appointing the Hon. Benjamin Harrison, to represent to Congress the state of the war in the southern department; also to the resolution appointing John Tyler, Esq. a member of the Privy Council or Council of State. And then he withdrew.

A motion was made that the House do come to the following resolution:

*Resolved*, That the commissioners of the tax in the county of \_\_\_\_\_, do attend on the tenth day of the next session, and lay before this House such papers and documents as may lead to a clear investigation of the principles upon which the assessments have been made in the said county, to the end, that the proper steps may be taken to correct any abuses that may have been practised in such assessments.

And the said resolution being read a second time, was ordered to lie on the table.

An engrossed bill, “for making better provision for the officers and soldiers belonging to this State in continental service;” was read the third time, and the question being put, that the said bill do pass;

It passed in the negative.

*Resolved*, That the bill be rejected.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill “concerning widows, orphans and legatees;” and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk’s table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Christian:

MR. SPEAKER,—The Senate have agreed to the resolution; respecting the Washington and Montgomery militia that were in the action at King’s mountain, with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, some were agreed to, and others disagreed to.

*Ordered*, That Mr. Aaron Lewis do acquaint the Senate therewith.

*Ordered*, That leave be given to bring in a bill “to make good the future pay of the army;” and that Messrs. Tyler, Richard Henry Lee and Starke, do prepare and bring in the same.

The orders of the day, for a call of the House, and for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, upon the bills “to revive and amend the act ‘for procuring a supply of provisions and other necessities for the use of the army;’” “to revive and amend the act ‘for the better regulating and disciplining the militia;’” and “for the more effectual collection of taxes and public dues,” being read;



Ordered, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

THURSDAY, December 28, 1780.

An engrossed bill, "concerning widows, orphans and legatees," was read the third time; and the question being put, that the same do pass;

It passed in the negative.

Resolved, That the bill be rejected.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate adhere to their amendments disagreed to by this House, to the bill "to amend the act, entitled 'an act to amend the several acts of Assembly, respecting the inspection of tobacco;'" also, they have agreed to the bill "for recruiting this State's quota of troops to serve in the continental army;" with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the amendments of the Senate, to the bill "to amend the act, entitled 'an act to amend the several acts of Assembly, respecting the inspection of tobacco;'" and the same being read;

Resolved, That this House doth recede from their disagreement to the said amendments.

Ordered, That Mr. Starke do acquaint the Senate therewith.

The House proceeded to consider the amendments of the Senate, to the bill "for recruiting this State's quota of troops, to serve in the continental army;" and the same being read, some were agreed to, and others disagreed to.

Ordered, That Mr. Starke do acquaint the Senate therewith.

A motion was made, that the House do come to the following resolution:

Resolved, That a committee of four be appointed to wait on Major General Gates, and to assure him of the high regard and esteem of this House. That the remembrance of his former glorious services cannot be obliterated by any reverse of fortune; but that this House, ever mindful of his great merit, will omit no opportunity of testifying to the world, the gratitude which, as a member of the American union, this country owes to him in his military character.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House, *nemine contra dicente*.

Ordered, That Messrs. Henry, Richard Henry Lee, Zane, and General Nelson, be appointed of the said committee.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration sundry petitions to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

Resolved, that it is the opinion of this committee, That the petition of the Reverend Miles Selden, praying that compensation may be made him by the public, for the rent of, and injuries done to a small tract of land, with houses, &c. thereon, near the town of Hampton, which in the year 1777, was seized by the commanding officer at that station, and converted into an hospital for the soldiers of the garrison, who had the smallpox, and detained it in the service of the public until the last Spring, be referred to the next session of Assembly.

Resolved, that it is the opinion of this committee, That the petition of Thomas Boothe, praying that compensation may be made him by the public for the damages which he will sustain by occasion of his being dispossessed of three acres of land adjoining the public foundry, which hath been taken for public use, be referred to the next session of Assembly.

Resolved, That the petition of Richard Bruce, setting forth, that he advanced to Judith Epperson, the widow of David Epperson, deceased, late a soldier in the continental service, the sum of one hundred and sixty-four pounds to relieve her distressed situation; that the court of Albemarle county granted him a certificate for the same; and praying to be reimbursed by the public the said sum of 164*l*. is reasonable; and that the auditors of public accounts be directed to grant a warrant for the same.

Resolved, That the petition of William Pointer, setting forth, that a certain Edward Cocke, of Charles City county, was employed by the Governor and Council, to ride express upon public business; that the horse furnished him by the public, having tired on the road, he impressed a grey mare, (the property of the petitioner,) for the purpose of prosecuting his journey on. That the said Cocke rode so violently that she died in a few days, and was never returned to him. That Peter Royster and Gideon Christian, being previously sworn, valued the said mare to 3,000*l*.; and praying to be paid by the public the valuation of his said mare, is reasonable; and that the petitioner ought to be allowed and paid the said sum of 3,000*l*. the amount of the same.

Resolved, that it is the opinion of this committee, That the petition of John Ward, setting forth, that during the last summer, he furnished provision to certain detachments of troops, marching to the southward, and obtained certificates from the officers severally commanding them for the same, to the amount of 3,028*l*. 3*s*. 4*d*.; that he applied to the auditors of public accounts for payment, who refused to allow the same; and praying relief, is reasonable; and

that the auditors of public accounts be directed to examine, and settle the petitioner's account against the public, for the provisions by him so furnished, and make him such allowance, as to them shall seem just and reasonable.

*Ordered*, That Mr. Richard Lee, do carry the 3d, 4th and 5th resolutions to the Senate, and desire their concurrence.

Mr. Tyler presented, according to order, a bill "for making good the future pay of the army," and the same was received, and read the first time, and ordered to be read a second time.

A motion was made, that the House do come to the following resolution:

*Resolved* That there be advanced to each of the officers and soldiers of this State on continental and state establishments, a sum of money on account, in the following manner: to a brigadier general, 75,000 dollars; and in the same proportion, to all other officers and soldiers, agreeable to their rank and pay; and the auditors of public accounts are hereby authorised and required to issue warrants on the treasurer to the officers and soldiers applying for the same, for the respective sums of money, which are hereby granted to them, agreeable to the pay affixed to the different ranks by Congress, before September 1777.

*Provided, always*, That no person shall be entitled to the benefit of this resolution, except such as were engaged during the war, or for three years, and are now in service, or shall hereafter engage for the war; and the said resolution being read a second time, was ordered to lie on the table.

A bill, "for making good the future pay of the army;" was read the second time, and ordered to be committed to a committee of the whole House, to-morrow.

A motion was made, that the House do come to the following resolution:

*Resolved*, That where no additional allowance for depreciation, hath been made to persons disabled in the service of this or of the United States, the auditors of public accounts be directed to issue their warrants to all such persons, for sums equal in value to their original allowance; provided it does not exceed forty for one; and the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Zaue do carry the resolution to the Senate, and desire their concurrence.

Mr. Hunter reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, inspected several other enrolled bills, to them referred, and found them to be truly enrolled.

*Ordered*, That Mr. Hunter do carry the bills to the Senate, for their inspection.

A bill "for the more effectual and speedy clothing the army," was read the second time, and ordered to be committed to a committee of the whole House, immediately.

The House accordingly resolved itself into a committee of the whole House, on the said bill; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ball reported, that the committee had, according to order, had the said bill under their consideration, and made some progress therein, but not having time to go through the same, had directed him to move the House for leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House, on the said bill.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for the more effectual collection of taxes, and public dues;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tyler reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Christian:

MR. SPEAKER,—The Senate do insist on their amendments disagreed to by this House, to the resolution respecting the pay of certain volunteers of Washington and Montgomery counties, for late southern services. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read,

*Resolved*, That this House doth recede from their disagreement thereto.

*Ordered*, That Mr. Aaron Lewis do acquaint the Senate therewith.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the memorial of Adam Stephen and Anthony Noble to them referred, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the memorial of the said Adam Stephen and Anthony Noble; setting forth, that about two years ago they furnished the public with fifteen stand of arms; that the Governor and Council, and auditors of public accounts, are at a loss what price to allow the memorialists for the said arms; and praying to be paid by the public for the said fifteen stand of arms, is reasonable; and that the memorialists ought to be allowed and paid the sum of 10*l*. for each of the said stand of arms, amounting to one hundred and fifty pounds.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate do recede from their amendments disagreed to by this House, to the bill "for speedily recruiting the quota of this State for the continental army;" also, they have agreed to the bill "declaring



what shall be a lawful marriage," with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, some were agreed to, and others disagreed to.

*Ordered*, That Mr. Carrington do acquaint the Senate therewith.

A message from the Senate by Mr. Dixon:

MR. SPEAKER,—The Senate do agree to the resolution for making certain allowances to William Bently. And then he withdrew.

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolution for making certain allowances to John Meade, with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, were agreed to.

*Ordered*, That Mr. Richard Lee do acquaint the Senate therewith.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the memorial of Sampson Mathews, to them referred; and had agreed upon a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

It appears to your committee, that agreeable to the Governor's address to the people, a considerable sum of money was collected in the county of Augusta, which, with other sums collected by Alexander Sinclair from the people in the neighborhood of Staunton, was, by direction of the memorialist, put into the hands of Smyth Tandy, then a justice of the peace of the said county of Augusta, to be by him delivered to the treasurer.

It also appears to your committee, that out of the money so received by the said Smyth Tandy, eight parcels containing 4,376l. 3s. 0d. were by some means lost by the said Tandy.

It farther appears to your committee, that the said memorialist promised the people, not only to receive and transmit their money to the treasurer, but to return it, together with an interest of six per centum, to those whose circumstances would permit a loan only for a short time; and to deliver loan office certificates to others who were willing to lend their money for a year.

Whereupon, your committee came to the following resolution:

*Resolved*, that it is the opinion of this committee, That the memorial of the said Sampson Mathews, praying that the treasurer may be empowered and directed to grant receipts, or loan office certificates, to the lenders of the money so lost, in like manner as if the said money had actually been paid into the treasury; be rejected.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, on the bills "to revive and amend the act 'for procuring a supply of provisions and other necessities, for the use of the army,'" and "to revive and amend the act, for the better regulating and disciplining the militia;" being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 10 o'clock.

## FRIDAY, December 29, 1780.

An engrossed bill "for the more effectual collection of taxes and public dues," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act for the more effectual collection of taxes and public dues."

*Ordered*, That Mr. Tyler do carry the bill to the Senate, and desire their concurrence.

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration, Col. William Davis's letter, to them referred, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That so much of the said letter, as requests that the soldiery who have, or shall furnish blankets in consequence of a recommendation from the Executive, may be paid for them by the public, agreeable to the price at which they have or shall be valued by disinterested persons, is reasonable.

*Resolved*, That the soldiers raised under an act of the last Assembly, entitled "an act for speedily recruiting the quota of this State, for the continental army," have their remedy at law against the divisions from which they were respectively raised, for any deficiency of bounty due them from such divisions.

*Ordered*, That Mr. Richard Lee do carry the first resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolution, for paying a sum of money to William Pointer; also to the resolution, respecting the accounts of the commissioners of the Gun Manufactory at Fredericksburg; also, they



have examined several other enrolled bills, and find them to be truly enrolled, and they are signed by their Speaker. And then he withdrew.

*Ordered*, That the public printer be directed forthwith, to strike two hundred and fifty copies of the act "for recruiting this State's quota of troops to serve in the continental army.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate adhere to their amendment disagreed to by this House to the bill, "declaring what shall be a lawful marriage." And then he withdrew.

A message from the Senate by Mr. Mathews:

MR. SPEAKER.—The Senate have agreed to the resolution, for paying a sum of money to Richard Bruce; also, they have agreed to the resolution, for making good the depreciation to soldiers disabled in the service. And then he withdrew.

A motion was made, that the House do come to the following resolution:

*Resolved*, That there be advanced to each of the commissioned and staff officers of this State on continental and state establishments, a sum of money on account, in the following manner:

To a brigadier general, 50,000 dollars; and in the same proportion to all other officers agreeable to their rank and pay; and the auditors of public accounts are hereby authorised and required to issue warrants on the treasurer, to the officers applying for the same, for the respective sums of money which are hereby granted to them agreeable to the pay affixed to the different ranks by Congress, before September, 1777. And whereas, considerable sums of money have been advanced to the officers from the public treasury, for recruiting and other purposes, and no account of the expenditures of the same have been yet rendered to the auditors, it is therefore hereby directed, that no person shall have the benefit of this resolution, until he shall have previously settled with the said auditors for such sums of money so advanced: in which case, the auditors are hereby authorised and empowered, to grant warrants for any balances that may be due them out of the advances which are directed by this resolution; and the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lyne do carry the resolution to the Senate, and desire their concurrence.

The Speaker laid before the House, a letter from the Governor, enclosing a resolution of Congress, and other papers, respecting the removal of the Saratoga Convention troops, which were read and ordered to be referred to the committee of the whole House on the state of the Commonwealth.

A motion was made, that the House do come to the following resolution:

*Resolved*, That there be advanced on account, to each soldier of this State, enlisted for the war prior to the year 1778, two thousand dollars, and to the non-commissioned officers in the same proportion, agreeable to the pay fixed by Congress before September 1777. The commanding officers of the different regiments belonging to this State, are hereby requested to make returns to the auditors as soon as may be, of all such non-commissioned officers and soldiers in their respective regiments, and the auditors of public accounts are hereby authorised and required to issue warrants on the treasurer to the paymaster of the respective regiments, for the amount of all sums hereby granted for the purpose of paying the non-commissioned officers and soldiers the money thus advanced.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Lyne do carry the resolution to the Senate, and desire their concurrence.

Mr. Henry reported, from the committee appointed to communicate the resolution of yesterday to Maj. Gen. Gates, that the committee had, according to order, communicated the same to that gentleman, and that he was pleased to return the following answer:

*"Richmond, December 28, 1780.*

"SIRS,

I shall ever remember with the utmost gratitude, the high honor this day done me, by the honorable the House of Delegates of Virginia. When engaged in the noble cause of freedom, and the United States, I devoted myself entirely to the service of obtaining the great end of their union. That I have been once unfortunate, is my great mortification; but let the event of my future services be what they may, they will, as they always have been, be directed by the most faithful integrity, and animated by the truest zeal, for the honor and interest of the United States.

HORATIO GATES."

Mr. Starke reported, from the committee to whom was referred the letter of Major Alexander Dick, that the committee had, according to order, had the same under their consideration, and had agreed to a report, and come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House, as followeth:

It appears to your committee, that on the said Alexander Dick's return to this State from a long and painful captivity, he was entitled to a majority, which was given to him by the Executive; but by a resolve of the last session of Assembly, he was deprived of any active and immediate command; and as it is not in the power of the present session of Assembly to give the said Major Dick any active command at this time equal to his rank,

*Resolved, therefore*, That the said Major Alexander Dick be recommended, and he is hereby recommended, by the General Assembly of Virginia, as an officer of merit and bravery, to the commanding officer of the Southern army.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to revive and amend the act, 'for procuring a supply of provisions and other necessities for the use of the army;'" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tyler reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

*Ordered*, That Mr. Hutchings have leave to be absent from the service of this House, for the remainder of the session.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to revive and amend the act for better regulating and disciplining the militia;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

*Ordered*, That the public printer do forthwith, strike two hundred and fifty copies of the act "for the defence of the eastern frontier of this Commonwealth."

Mr. Richard Lee reported, from the committee of Trade, that the committee had, according to order, had under their consideration the memorial of Miles Selden, jun. to them referred, and had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth:

*Resolved*, that it is the opinion of this committee, That the memorial of the said Miles Selden, jun. setting forth, that he hath declined the care of the public records and papers formerly committed to him; that the said records and papers remain in a house, the property of the memorialist, liable to injury and destruction; that he hath received no allowance for the rent of his said house, since the month of December last past; and praying that he may be made a reasonable allowance for such rent, and another house provided for the reception of the said records and papers, is reasonable; and that the memorialist ought to be allowed and paid the sum of 1,000*l.* for the rent of his said house, from the said month of December last past, to the month of June following; the time when the memorialist's said house was rented by the Executive for public use, and in which the said records and papers have remained ever since; and that the Governor and Council be directed to take proper measures, to oblige the respective clerk's of the Supreme Courts, and Executive Boards, to which the said records and papers respectively belong, to remove them immediately from the memorialist's house to their respective offices, in order that proper care may be taken of them.

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the bill "for the more effectual collection of taxes and public dues;" with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment; and the same being read, was agreed to.

*Ordered*, That Mr. Tyler do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for the more effectual and speedy clothing of the army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Ellzey:

MR. SPEAKER,—The Senate have agreed to the resolutions for making an advance to the officers and soldiers of the Virginia line, in continental service, with an amendment to the first resolution, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment; and the same being read, was agreed to.

*Ordered*, That Mr. Lyne do acquaint the Senate therewith.

*Resolved*, That this House will, to-morrow, proceed by joint ballot with the Senate, to the choice of a Solicitor General.

*Ordered*, That Mr. Braxton, do acquaint the Senate therewith.

The House proceeded to nominate persons proper to be balloted for as Solicitor General.

*Ordered*, That Mr. Braxton do carry a list of the persons so nominated to the Senate.

The orders of the day, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; and also, on the bill "for making good the future pay of the army," being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.



SATURDAY, December 30, 1780.

An engrossed bill, "to revive and amend the act for the better regulating and disciplining the militia," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act to revive and amend the act 'for better regulating and disciplining the militia.'"

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "for supplying the army with clothes and provisions," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be "an act for supplying the army with clothes, provisions and wagons."

*Ordered*, That Mr. Edmondson do carry the bill to the Senate, and desire their concurrence.

An engrossed bill, "to revive and amend the act for procuring a supply of provisions and other necessities for the use of the army," was read the third time, and the blanks therein filled up.

*Resolved*, That the bill do pass; and that the title be, "an act to revive and amend the act 'for procuring a supply of provisions and other necessities for the use of the army.'"

A motion was made, that the House do come to the following resolution:

*Resolved*, That the treasurer advance to the Hon. Benjamin Harrison, 16,000*l.* on account.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the Hon. Benjamin Harrison, Esquire, be empowered and directed to lay before his excellency the French Ambassador, the situation of this State, with respect to arms, ammunition and clothing for the soldiers, and to press for assistance in those articles from France, and to give assurance for the repayment of any sums that may be advanced for the aforesaid purpose, at the close of the present war; and that this State will make good any such engagements he may enter into, for obtaining the said clothing, arms and ammunition.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the last regulation of pay made by Congress, prior to September, 1777, ought to be considered as the rule by which the advance of money directed by a resolution of yesterday, to the officers of this State, shall be adjusted;

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That General Nelson do carry the resolution to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "for making good the future pay of the army;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

*Ordered*, That the bill, with the amendments, be engrossed and read the third time.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate do agree to proceed this day, by joint ballot with your House, to the choice of a Solicitor General; also, they do agree to the nomination of persons to be ballotted for as Solicitor General. And then he withdrew.

The Speaker laid before the House a letter from George Muter, Esq. commissioner of the War Office, covering a return of recruits raised under the late draft law; which was read, and ordered to lie on the table.

Mr. Pride reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, inspected several others, and found them to be truly enrolled.

*Ordered*, That Mr. Pride do carry the said enrolled bills to the Senate for their inspection.

The House, according to the order of the day, proceeded by joint ballot with the Senate, to the choice of a Solicitor General; and the members having prepared tickets with the name of the person to be appointed, and put the same in the ballot glasses, Messrs. Henry, Richard Henry Lee, and Francis Peyton, were nominated a committee to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and report to the House on whom the majority of votes should fall.

*Ordered*, That Mr. Henry do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House, and reported, that they had, according to order, met a committee from the Senate in the conference chamber, and jointly with them examined the ballot glasses, and found a majority of votes in favor of Leighton Wood Esq.

*Resolved*, That Leighton Wood, Esq. be appointed Solicitor General, he having been so elected by joint ballot of both Houses of Assembly.

*Ordered*, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence. 804.77.



*Resolved*, That this House will, to day, proceed by joint ballot with the Senate, to the choice of an auditor of public accounts, in the room of Leighton Wood, Esq. appointed Solicitor General.

The House proceeded to nominate persons proper to be ballotted for as an auditor of public accounts.

*Ordered*, That Mr. Tyler do carry a list of the persons so nominated to the Senate.

The House proceeded, to consider the amendment of the Senate, disagreed to by this House to the bill, "for declaring what shall be a lawful marriage;" and the same being read,

*Resolved*, That this House doth recede from their disagreement thereto.

*Ordered*, That Mr. Carrington do acquaint the Senate therewith.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolution for paying a sum of money to John Ward; they do agree to ballot to day, for an auditor of public accounts, in the room of Leighton Wood, Esq. and have added another person to the nomination of persons to fill that office. And then he withdrew.

A message from the Senate by Mr. Dixon:

MR. SPEAKER,—The Senate have agreed to the resolution appointing Leighton Wood, Esq. Solicitor General; also to the bill "to revive and amend the act 'for regulating and disciplining the militia,'" with several amendments, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, some were agreed to, and others disagreed to.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A motion was made, that the House do come to the following resolution:

*Resolved*, That ten thousand pounds of tobacco, each, be allowed to Charles Dick and Fielding Lewis, Esquires, acting commissioners of the Gun Manufactory at Fredericksburg, for their services in the year 1780.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Braxton do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the Governor be authorised with the advice of Council, to appoint a proper person as a commissioner of the Gun Manufactory at Fredericksburg, in the room of Fielding Lewis and Charles Dick, Esquires, who have resigned; which commissioner shall be allowed an annual salary of 15,000 pounds of tobacco, to be discharged in like manner with the salaries allowed by law to other public officers.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Richard Henry Lee do carry the resolution to the Senate, and desire their concurrence.

A memorial of the President and Professors of William and Mary College, respecting the appropriation and exchange of sundry negro slaves belonging to the public, was presented to the House, and read, and ordered to be referred to the consideration of the next session of Assembly.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have examined several enrolled bills, and find them to be truly enrolled; and they are signed by their Speaker; also, they have agreed to the bill "for supplying the army with clothes, provisions, and wagons," with several amendments; to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendments; and the same being read, were agreed to.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A message from the Senate by Mr. Bassett:

MR. SPEAKER,—The Senate have agreed to the resolutions for advancing a sum of money to Benjamin Harrison, Esq.; for an application to the French minister, for a supply of arms and clothing; for recommending Major Dick to the commanding officer, in the southern department; and respecting the advance of pay to the officers of the army. And then he withdrew.

An engrossed bill, "for making good the future pay of the army;" was read the third time.

*Resolved*, That the bill do pass; and that the title be, "an act, for making good the future pay of the army."

*Ordered*, That Mr. Starke do carry the bill to the Senate, and desire their concurrence.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order had the state of the Commonwealth under their consideration, and agreed to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to by the House, as followeth:

*Resolved*, That in the present situation of affairs in the south, the immediate interests of this State require that the Convention troops of Saratoga be forthwith removed therefrom.

*Ordered*, That Mr. Starke do carry the resolution to the Senate, and desire their concurrence.

*Resolved*, That this House will, on Monday next, again resolve itself into a committee of the whole House on the state of the Commonwealth.

The orders of the day, for a call of the House, and for the House to proceed by joint ballot with the Senate, to the choice of an auditor of public accounts, being read;

*Ordered*, That the same be put off till Monday next.

And then the House adjourned till Monday morning, 10 o'clock.

MONDAY, January 1, 1781.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolution for making an allowance to the commissioners of the Gun Manufactory at Fredericksburg; they have examined an enrolled bill and find it to be truly enrolled, and their Speaker hath signed it; also, they have agreed to the bill “to revive and amend the act, ‘for procuring a supply of provisions and other necessities for the use of the army,’ with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment; and the same being read, was agreed to.

Ordered, That Mr. Starke do acquaint the Senate therewith.

The Speaker laid before the House, a letter containing intelligence of the arrival of an enemy's fleet, which was read, and ordered to lie on the table.

A motion was made, that the House do come to the following resolution:

Resolved, That each of the clerk's of the council, treasury and auditors, be and are hereby allowed five thousand pounds of tobacco, in addition to their present salary.

And the said resolution being read a second time was, on the question put thereupon, disagreed to by the House.

Resolved, That the resolution be rejected.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate adhere to their amendments, disagreed to by this House, to the bill “to revive and amend the act ‘for regulating and disciplining the militia.’” And then he withdrew.

The House proceeded to reconsider the said amendments; and the same being read,

Resolved, That this House do adhere to their disagreement to the said amendments.

Ordered, That Mr. Starke do acquaint the Senate therewith.

A message from the Senate by Mr. Mathews:

MR. SPEAKER,—The Senate have agreed to the resolution appointing a commissioner of the Gun Manufactory, at Fredericksburg; also, to the bill “for making good the future pay of the army.” And then he withdrew.

A motion was made, that the House do come to the following resolution:

Resolved, That there be advanced to Messrs. Dixon and Nicolson, the sum of twenty-five thousand pounds on account for printing the laws and Journals of the General Assembly, and other public services; and that the account of the said Messrs. Dixon and Nicolson, be referred to the auditors of public accounts, to be by them audited and reported upon, to the next session of Assembly.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

Ordered, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

Whereas, the regiments on State establishment are greatly reduced in their numbers of men, insomuch that most of the officers belonging to them are without employment;

The General Assembly taking the same into their consideration, and sensible of the merit of the said officers, of whose services they cannot now be availed for want of men, induced by the exigencies of the State, have

Resolved, That the Governor with the advice of the Council, be desired to discontinue for the present, from actual service, such of the said officers who are supernumerary to the men composing at present the several regiments or corps on State establishment;

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

Ordered, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence.

The House, according to the order of the day, proceeded by joint ballot with the Senate, to the choice of an auditor of public accounts, in the room of Leighton Wood, Esq. appointed Solicitor General; and the members having prepared tickets, with the name of the person to be appointed, and deposited the same in the ballot glasses, Messrs. Zane, Richard Lee, Braxton, Ball and Holmes, were nominated a committee to meet a committee from the Senate, and jointly with them to examine the ballot glasses, and report to the House on whom the majority of votes should fall.

Ordered, That Mr. Zane do acquaint the Senate therewith.

The committee then withdrew; and after some time returned into the House, and reported, that they had, according to order, met a committee from the Senate in the conference chamber, and jointly with them examined the ballot glasses, and found a majority of votes in favor of Thomas Everard, Esq.

Resolved, That Thomas Everard, Esq. be appointed an auditor of public accounts, in the room of Leighton Wood, Esq. appointed Solicitor General; he having been so elected by joint ballot of both Houses of Assembly.

Ordered, That Mr. Zane do carry the resolution to the Senate, and desire their concurrence. *dec 1779.*

Resolved, That the following allowances be made to the officers of the General Assembly:

To Mr. John Beckley, clerk of the House of Delegates,	-	-	-	£ 15,400
To Mr. William Drew, clerk of the Senate,	-	-	-	7,700
To Mr. Selden, chaplain,	-	-	-	1,000
To Mr. Edmund Pendleton, clerk of the committees of Privileges and Elections and Propositions and Grievances,	-	-	-	4,500

To Mr. Adam Craig, clerk of the committees of Religion, Trade and Courts of Justice,	-	4,500
To Mr. Freeman Eppes, serjeant at arms to the House of Delegates,	-	4,500
To Mr. William Pierce, serjeant at arms to the Senate,	-	4,500
To each of the door-keepers of the House of Delegates and of the Senate,	-	3,000
To William Milbank, for cleaning the capitol,	-	900

*Ordered*, That Mr. Richard Lee do carry the resolution to the Senate, and desire their concurrence.

*Ordered*, That the public printer do forthwith strike two hundred copies of the act "for supplying the army with clothes, provisions and wagons."

A message from the Senate by Mr. Jones:

MR. SPEAKER,—The Senate have agreed to the resolutions respecting the officers of the State regiment; for advancing a sum of money to the public printers; and for appointing Thomas Everard, Esq. an auditor of public accounts. And then he withdrew.

Mr. Pride reported, from the committee appointed to examine the enrolled bills, that the committee had, according to order, inspected several others, and found them to be truly enrolled.

*Ordered*, That Mr. Pride do carry the said enrolled bills to the Senate for their inspection.

A message from the Senate by Mr. Henry Lee:

MR. SPEAKER,—The Senate have agreed to the resolution for making certain allowances to the officers of the General Assembly. And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had again had the state of the Commonwealth under their consideration, and come to a resolution thereupon, which he was ready to report when the House should think proper to receive the same.

*Ordered*, That the said report be received to-morrow.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have inspected several enrolled bills, find them to be truly enrolled, and they are signed by their Speaker. And then he withdrew.

The Speaker signed the following enrolled bills:

"An act, for the more effectual collection of taxes and public dues."

"An act, to amend the act entitled 'an act to amend the several acts of Assembly, respecting the inspection of tobacco.'"

"An act, for establishing several public ferries."

"An act, for the defence of the eastern frontier of this Commonwealth."

"An act, for restoring certain slaves to George Harmer."

"An act, for recruiting this State's quota of troops to serve in the continental army."

"An act, declaring what shall be a lawful marriage."

"An act, to revive and amend the 'act, for procuring a supply of provisions and other necessities for the use of the army.'"

"An act, for supplying the army with clothes, provisions and wagons."

"An act for making good the future pay of the army."

The order of the day, for a call of the House, being read,

*Ordered*, That the same be put off till to-morrow.

And then the House adjourned till to-morrow morning, 9 o'clock.

## TUESDAY, January 2, 1781.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the resolution for removing the British Saratoga Convention troops. And then he withdrew.

*Resolved*, That when this House adjourns, it will adjourn until the last day of March next.

*Ordered*, That Mr. Edmondson do acquaint the Senate therewith.

A motion was made, that the House do come to the following resolution:

*Resolved*, That in case the next meeting of the General Assembly at this place, be rendered inconvenient by the operations of an invading enemy; that the next meeting of the Assembly be at such proper place, as the Governor with the advice of the Council, shall appoint by proclamation.

And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.

*Ordered*, That Mr. Henry do carry the resolution to the Senate, and desire their concurrence.

A motion was made, that the House do come to the following resolution:

*Resolved*, That the Governor be empowered, and desired to return the salt specifically, which the commissioners have impressed in the interior country, or so much thereof, as to the Executive shall seem just.



And the said resolution being read a second time was, on the question put thereupon, agreed to by the House.  
*Ordered*, That Mr. Zane do carry the resolution to the Senate, and desire their concurrence.

Mr. Starke, according to the order of the day, reported, from the committee of the whole House, the resolutions agreed to yesterday, for a cession of the lands to the northwest of the Ohio, and respecting a free navigation of the river Mississippi; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, amended and agreed to by the House, as followeth:

The General Assembly of Virginia being well satisfied that the happiness, strength and safety of the United States depend, under Providence, upon the ratification of the articles for a Federal Union between the United States, heretofore proposed by Congress for the consideration of the said States respectively, and preferring the good of their country to every object of smaller importance, do

*Resolve*, That this Commonwealth will yield to the Congress of the United States, for the benefit of the said United States, all right, title and claim, that the said Commonwealth hath to the lands northwest of the river Ohio, upon the following conditions, to wit: That the territory so ceded, shall be laid out and formed into States containing a suitable extent of territory, and shall not be less than one hundred, nor more than one hundred and fifty miles square, or as near thereto as circumstances will admit; that the States so formed, shall be distinct republican States, and be admitted members of the Federal Union, having the same rights of sovereignty, freedom, and independence, as the other States.

That Virginia shall be allowed and fully reimbursed by the United States, her actual expenses in reducing the British posts at the Kaskaskies, and Saint Vincents; the expense of maintaining garrisons, and supporting civil government there, since the reduction of the said posts; and in general all the charge she has incurred, on account of the country, on the northwest side of the Ohio river, since the commencement of the present war.

That the French and Canadian inhabitants and other settlers at the Kaskaskies, Saint Vincents, and the neighboring villages, who have professed themselves citizens of Virginia, shall have their possessions and titles confirmed to them; and shall be protected in the enjoyment of their rights and liberty: for which purpose, troops shall be stationed there at the charge of the United States, to protect them from the encroachments of the British forces at Detroit or elsewhere; unless the events of war, shall render it impracticable.

As Colonel George Rogers Clarke, planned and executed the secret expedition by which the British posts were reduced; and was promised if the enterprize succeeded, a liberal gratuity in lands in that country, for officers and soldiers who first marched thither with him: that a quantity of land, not exceeding one hundred and fifty thousand acres, be allowed and granted to the said officers and soldiers, and the other officers and soldiers that have been since incorporated in the said regiment; to be laid off in one tract; the length of which, not to exceed double the breadth, in such place on the northwest side of the Ohio, as the majority of the officers shall choose, and to be afterwards divided among the said officers and soldiers in due proportion according to the laws of Virginia.

That, in case the quantity of good lands on the southeast side of the Ohio upon the waters of Cumberland river, and between Green river and Tennessee river, which have been reserved by law for the Virginia troops upon the continental establishment, and upon their own State establishment, should (from the North Carolina line bearing in further upon the Cumberland lands than was expected) prove insufficient for their legal bounties, the deficiency shall be made up to the said troops, in good lands; to be laid off between the river Scioto and little Miamis, on the northwest side of the river Ohio, in such proportion, as have been engaged to them by the laws of Virginia.

That all the lands within the territory so ceded to the United States, and not reserved for, or appropriated to any of the herein before mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered as a common fund for the use and benefit of such of the United American States as have become, or shall become members of the Confederation, or Federal Alliance of the said States, (Virginia inclusive) according to their usual respective proportions, in the general charge and expenditure; and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever; and therefore, that all purchases and deeds from any Indian or Indians, or from any Indian nation or nations, for any lands within any part of the said territory, which have been, or shall be made for the use or benefit of any private person or persons whatsoever; and royal grants within the ceded territory, inconsistent with the chartered rights, laws and customs of Virginia, shall be deemed and declared absolutely void and of no effect, in the same manner as if the said territory had still remained subject to and part of the Commonwealth of Virginia. That all the remaining territory of Virginia, included between the Atlantic Ocean and the southeast side of the river Ohio, and the Maryland, Pennsylvania and North Carolina boundary lines dividing them from Virginia, shall be guaranteed to the Commonwealth of Virginia by the said United States.

That the above cession of territory by Virginia to the United States, shall be void and of none effect, unless all the States in the American Union shall ratify the articles of confederation, heretofore transmitted by Congress for the consideration of the said States.

Virginia having thus, for the sake of the general good, proposed to cede a great extent of valuable territory to the continent, it is expected in return, that every other State in the Union, under similar circumstances, as to vacant territory, will make similar cessions of the same to the United States for the general emolument.

*Resolved*, That the navigation of the river Mississippi ought to be claimed by Virginia only, as co-extensive with our territory, and that our delegates in Congress be instructed to procure for the other States in the Union, the free navigation of that river as extensively as the territorial possession of the said States reaches respectively. And that

every further or other demand of the said navigation be ceded, if insisting on the same is deemed an impediment to a treaty with Spain.

*Provided*, That the said delegates use their endeavor to obtain, on behalf of this State, or other States, having territory on the said river, a free port or ports below the territory of such States respectively.

*Ordered*, That Mr Starke do carry the resolutions to the Senate, and desire their concurrence.

A message from the Senate by Mr. Cabell:

MR. SPEAKER,—The Senate have agreed to the resolution for restoring certain salt seized for public use, with an amendment, to which they desire the concurrence of this House. And then he withdrew.

The House proceeded to consider the said amendment; and the same being read, was agreed to.

*Ordered*, That Mr. Zane do acquaint the Senate therewith.

A message from the Senate by Mr. Harrison:

MR. SPEAKER,—The Senate have agreed to the resolutions respecting the free navigation of the river Mississippi. For making a cession to Congress of the lands on the northwest side of the Ohio river. And for empowering the Governor, in case of danger from the enemy, to appoint a place for the next meeting of the General Assembly. Also, they do propose to adjourn until the last day of March next. And then he withdrew.

And then the House adjourned till the 31st day of March next.

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